

H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1465. Also, petition of James H. Boso and others, Miami, Fla., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

## SENATE

SATURDAY, AUGUST 27, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. Gerhard E. Lenski, pastor, Grace Lutheran Church, Washington, D. C., offered the following prayer:

Dear Lord, we stand at attention before Thee. Let our prayer be something more than a perfunctory performance, something better than a bouquet of beautiful words. Speak Thou to us even as now we strive to speak to Thee. Help us to understand Thy will, to serve Thy holy purposes, and to claim this, our Nation, and the nations of this world as the kingdoms of our Lord and His Christ, in peace and good will for all. Establish Thou the work of our hands. Yea, the work of our hands, establish Thou it.

As the weary week winds to its close, grant to each of us a blessed Sabbath rest. Pour into our hearts the oil of gladness. Help us to renew strength by waiting upon Thee. When the work of the day is done, when life's work is done, may we hear Thy approving voice, saying: Well done, good and faithful servant. Enter thou into the joy of Thy Lord.

This we ask in our Master's name. Amen.

### THE JOURNAL

On request of Mr. Lucas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 26, 1949, was dispensed with.

### MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 26, 1949, the President had approved and signed the following acts:

S. 974. An act to amend the Veterans' Preference Act of 1944 with respect to certain mothers of veterans; and

S. 1026. An act for the relief of Roman Szymanski and Anastasia Szymanski.

### TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

#### EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON COOPERATION, UNITED STATES AND MEXICO, IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report on cooperation of the United States with Mexico in the control and eradication

of foot-and-mouth disease, for the month of June, 1949 (with accompanying papers); to the Committee on Agriculture and Forestry.

### AMENDMENT OF UNITED STATES CODE RELATING TO TIME FOR REPORTING CERTAIN RULES ADOPTED BY SUPREME COURT

A letter from the Acting Director, Administrative Office of the United States Courts, Washington, D. C., transmitting a draft of proposed legislation to amend Titles 18 and 28, United States Code, with respect to the time of reporting to Congress rules of procedure adopted by the Supreme Court for criminal, civil, and admiralty cases and the time of their taking effect (with an accompanying paper); to the Committee on the Judiciary.

### REPORT OF ADMINISTRATOR OF RENT CONTROL FOR THE DISTRICT OF COLUMBIA

A letter from the Acting President of the Board of Commissioners of the District of Columbia, transmitting, pursuant to law, the semiannual report of the Administrator of Rent Control for the District, for the period January 2, 1949, to June 30, 1949 (with an accompanying report); to the Committee on the District of Columbia.

### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Utah:

S. 2499. A bill for the relief of Daijiro Yoshida; to the Committee on the Judiciary.

By Mr. WILEY:

S. 2500. A bill for the relief of Sverre K. Nedberg; to the Committee on the Judiciary.

By Mr. AIKEN:

S. 2501. A bill for the relief of Nicholas Papaconomou; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 2502. A bill to correct an injustice by providing for the refund of the taxes deducted pursuant to the provisions of the Railroad Retirement Act of 1937, as amended, from the wages of Mexican railroad workers employed in the United States under the agreement of April 29, 1943, between the United States of America and the United Mexican States, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. MORSE:

S. 2503. A bill to enforce the rights of citizens of the United States in the nomination and election of candidates for the offices of President, Vice President, Presidential elector, Senator, Representative in Congress, and Delegate or Resident Commissioner from the Territories or possessions; to the Committee on the Judiciary.

### AMENDMENT OF FAIR LABOR STANDARDS ACT OF 1938—AMENDMENT

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (H. R. 5856) to provide for the amendment of the Fair Labor Standards Act of 1938, and for other purposes, which was ordered to lie on the table and to be printed.

### NATIONAL MILITARY ESTABLISHMENT APPROPRIATIONS—AMENDMENT

Mr. MORSE submitted an amendment intended to be proposed by him to the bill (H. R. 4146) making appropriations for the National Security Council, the National Security Resources Board, and for military functions administered by the National Military Establishment for the fiscal year ending June 30, 1950, and for other purposes, which was ordered to lie on the table and to be printed.

### AMENDMENT OF CIVIL SERVICE RETIREMENT ACT—AMENDMENT

Mr. HILL submitted an amendment intended to be proposed by him to the bill (H. R. 5465) to amend section 4 (e) of the Civil Service Retirement Act of May 29, 1930, as amended, which was ordered to lie on the table and to be printed.

### AMENDMENT OF CERTAIN PROVISIONS OF INTERNAL REVENUE CODE—AMENDMENTS

Mr. KNOWLAND and Mr. WILLIAMS each submitted an amendment, and Mr. HOEY submitted three amendments, intended to be proposed by them, respectively, to the bill (H. R. 5268) to amend certain provisions of the Internal Revenue Code, which were ordered to lie on the table and to be printed.

### FEDERAL INTERAGENCY COMMITTEE ON RECREATION—CHANGE OF REFERENCE

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs may be discharged from further consideration of House bill 892, to authorize the establishment of a Federal Interagency Committee on Recreation and that it be referred to the Committee on Labor and Public Welfare. It is not within the jurisdiction of the Committee on Interior and Insular Affairs.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming? The Chair hears none, and it is so ordered.

### RESOLUTIONS OF KIWANIS INTERNATIONAL

Mr. WILEY. Mr. President, last Sunday night it was my pleasure to meet with many old friends at the district convention of Kiwanis International in Appleton, Wis. It was a real pleasure to get home again and discuss things at first hand with my brother Kiwanians in the Wisconsin-upper Michigan district. At this time, I have in my hand the resolutions adopted at the thirty-fourth annual convention of Kiwanis International, which was held in Atlantic City, N. J. The resolutions represent the thinking of 200,000 business and professional leaders who are members of 3,000 Kiwanis Clubs throughout the United States, Canada, Alaska, Hawaii, and the Yukon Territory.

I know that all of my colleagues are familiar with the great work done by Kiwanis and I ask unanimous consent that the text of the resolutions be printed at this point in the body of the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

RESOLUTIONS ADOPTED BY THE THIRTY-FOURTH ANNUAL CONVENTION OF KIWANIS INTERNATIONAL, ATLANTIC CITY, N. J., JUNE 19-23, 1949

#### MORAL SAFEGUARDS FOR YOUTH

Whereas motion pictures, radio programs and publications that glamorize crime and expose youth to lurid and salacious experiences are, in the opinion of many authorities, implanting harmful ideas in the minds of young people: Therefore be it

Resolved, That Kiwanis International commends those agencies which are seeking to improve the entertainment offered through

the media of screen, radio, reading material and comic books, and recommends to its members that they initiate programs and cooperate with local agencies in working toward recreational and reading programs for youth that will result in higher ideals and encourage wholesome ideas in the minds of boys and girls.

#### YOUTH ACTIVITIES

Whereas there is an increasing demand for adult leadership in community youth service organizations to the end that youth eventually assume a more effective leadership in community affairs: Now, therefore, be it

*Resolved*, That Kiwanians and Kiwanis clubs continue an active and effective sponsorship of Key Clubs, community forums, and other character-building activities in their respective communities.

#### ESTABLISHMENT OF A NATIONAL CHILDREN'S DAY

Whereas the national interest requires that the children of the Nation receive more thorough and sympathetic guidance in order that they may develop into good citizens with community interest; and

Whereas the national interest requires that we focus more attention on social, recreational, political, educational, cultural, and spiritual needs of the children in all communities of our Nation; and

Whereas the national interest requires that the great value of children to the home and to the Nation be recognized and emphasized: Now, therefore, be it

*Resolved*, That Kiwanis International urge the passage of House Joint Resolution 277 and Senate Joint Resolution 110 now before Congress establishing a Children's Day in the United States of America; and be it further

*Resolved*, That each Kiwanis Club recommend to its respective United States Senators and Representatives in Congress their support of said bills.

#### THE HOME, SCHOOL, AND CHURCH

Whereas the home is the cradle of our democracy; and

Whereas the school is a complement of the home and shares the responsibility of perpetuating the ideals of a free people; and

Whereas the church is the tabernacle of truth and the rock on which "we build": Therefore be it

*Resolved*, That Kiwanis International reiterate its most sincere belief in these institutions and recommends to all Kiwanians, their families, and friends that their continuing wholehearted support be pledged to the end that they may always be fundamental to our way of life.

#### REORGANIZATION BILL OF THE FEDERAL GOVERNMENT

Whereas a Commission set up by the direction of the Congress of the United States of America has made an exhaustive study of the executive branch and the administrative agencies of the Federal Government and has made a full report of its findings with recommendations of advisable and necessary corrections, eliminations, simplifications, and reforms; and

Whereas the Congress on the 16th day of June 1949 has passed the reorganization bill as recommended by the Hoover Commission; and

Whereas the President of the United States of America on the 20th day of June 1949 approved said act: Now, therefore, be it

*Resolved* by the thirty-fourth annual convention of Kiwanis International at Atlantic City, N. J., on the 22d day of June 1949, That the President and the Congress of the United States be commended for the prompt action already taken and be assured of the coopera-

tion of Kiwanis International in the reorganization of the executive branch and administrative agencies of the Federal Government according to the plan and recommendations of the reorganization bill.

#### INDIVIDUAL INITIATIVE

Whereas initiative, individual responsibility, respect for the dignity of man and continuing opportunity for growth have characterized the democratic spirit that has made this continent the finest place on earth to live and work: Now, therefore, be it

*Resolved*, That we reaffirm our confidence in and support of that form of government which encourages individual initiative and which gave our people in a relatively short period the greatest liberty and the highest living standard ever enjoyed by any peoples in the history of the world.

#### LABOR AND MANAGEMENT

Whereas Kiwanis International represents a cross-section of the people of the United States and Canada and embraces in its membership those who represent both labor and management, and, has dedicated itself to giving primacy to the human and spiritual values of life; and

Whereas controversies between labor and management are being given a tremendous amount of publicity in our respective countries, causing confusion in the minds of men as to the issues involved; and

Whereas Kiwanis International takes no partisan stand in these controversial matters but is vitally interested in securing the cooperation of management, labor, government, and the public to the end that the general welfare of our nations and our people shall best be served: Now, therefore, be it

*Resolved*, That Kiwanis International, whose 200,000 members in the United States and Canada represent business, labor, and the professions, favors free collective bargaining on the part of both management and labor and that in such bargaining we recommend to those respective parties that all negotiations be conducted on a plane of honesty of principle and purpose and that the human and spiritual values inherent in each of the issues involved be the guiding factor in all negotiations between employer and employee, to the end that the public welfare may be best served and that the standard of living in our respective countries be kept at the highest possible level and that industry may enjoy a healthy growth.

#### SUBVERSIVE ACTIVITIES

Whereas the freedoms and rights of all citizens in the United States and Canada depend upon the recognition that they are already the heritage of all human beings; and

Whereas these freedoms and rights which are the heritage of democracy came into existence by evolution and must be protected from revolution and suppression; and

Whereas we believe that only by the recognition of this fundamental approach is there any possibility of avoiding the destruction of civil liberty by antidemocratic doctrines that would use democratic rights to gain power in order to abolish those rights immediately they have power to do so; and

Whereas the preservation of constitutional governments in a world of changing values and antidemocratic ideologies is possible only by the strict regulation of those organized minorities whose fundamental tenets are against all individual rights: Now, therefore, be it

*Resolved*, That the members of this thirty-fourth convention of Kiwanis International denounce, as contrary to the principles of the freedom enjoyed in our two nations, any attempt on the part of any nation through

subversive methods to impinge its thinking on or use any force to compel its practices upon the peoples of our nation; and be it further

*Resolved*, That we reaffirm our resolution of 1948 and call upon all member clubs to request their respective legislative bodies to enact adequate laws and regulations to protect the citizens of each respective State and province from communistic and other subversive activities.

#### SAFETY

Whereas the protection of life, limb, and property against loss by accidents of all kinds remains an extremely serious problem, and

Whereas further important and necessary gains in safety measures are possible of attainment in industry, on the highway, at home, and on the farm: Now, therefore, be it

*Resolved*, That all Kiwanis clubs face this accident problem on a community basis, assist all safety agencies, and give accident prevention a prominent place in their program of activities; and be it further

*Resolved*, That we reaffirm our position taken at the Los Angeles convention in 1948 favoring modern, uniform traffic laws and driving instructions in the high schools.

#### WORLD PEACE

Whereas history shows that peace is the product of law and order, and that law and order are the products of government, and

Whereas disarmament and world peace can only be achieved by world order, world law, and some measure of world government, and

Whereas the peoples of the United States of America and Canada, while now enjoying peace and security under the laws of their local, State, provincial, and Federal Governments, deeply desire the guarantee of world peace, and

Whereas the United Nations is an organization in being, and its charter is capable of amendment so as to make it an effective instrument for the maintenance of world order, and

Whereas the United Nations, as presently constituted, though accomplishing great work in many fields, lacks authority to enact, interpret, or to enforce world law, and under its present Charter is incapable of restraining any major nation which may foster or foment war; and

Whereas the maintenance of a world inspection police military force may be necessary to enforce world law and provide world security: Now, therefore, be it

*Resolved*, That this thirty-fourth annual convention of Kiwanis International calls upon our leaders of governments in the United States and Canada to initiate such amendments to the United Nations Charter as will strengthen the United Nations and make it a limited world government, capable of enacting, interpreting, and enforcing international law to ensure world peace and guaranteeing to all peoples their right to maintain their own domestic, political, economic, social, and religious institutions; and be it further

*Resolved*, That a copy of this resolution be forwarded to the President of the United States, the Prime Minister of Canada, and all members of the legislative bodies of both countries.

#### WELCOME TO NEWFOUNDLAND

Whereas on March 31, 1949, the ancient colony of Newfoundland, in which the first settlement in the New World was made, became the tenth Province of the Dominion of Canada; and

Whereas a long-standing objective of Kiwanis International has been the fostering of the bonds of friendship, good will, and

understanding between Canada and the United States: Now, therefore, be it

*Resolved by the representatives of the nearly 200,000 members of Kiwanis International in convention assembled at Atlantic City, N. J.,* That we extend a warm welcome with our sincere assurance of good will to the Province of Newfoundland, and call upon our members to study and to know Newfoundland and its people; and be it further

*Resolved,* That a copy of this resolution be forwarded to the Prime Minister of Canada, and the Lieutenant Governor and the Premier of the Province of Newfoundland.

#### BUSINESS ETHICS

Whereas Kiwanians are committed to encourage the daily living of the Golden Rule in all human relationships and to promote the adoption and application of higher social, business, and professional standards; and

Whereas in recent years impressions held by the public have been that businessmen are selfish and that business is not interested in the social progress of the community; and

Whereas all Kiwanians are interested in vitalizing the Golden Rule and in promoting the highest possible ethical standards: Now, therefore, be it

*Resolved,* That the delegates to the thirty-fourth annual convention of Kiwanis International assembled at Atlantic City do recommend that renewed emphasis be placed upon higher business ethics in all dealings with our fellow men and call upon each Kiwanis club to rededicate itself to the encouragement and support of higher business and professional standards to the end that their communities will be Golden Rule conscious.

#### IN MEMORIAM—ROE FULKERSON

On January 11, 1949, Roe Fulkerson laid down his pen to answer the summons that eventually comes to all men, yet to a greater degree than is vouchsafed most men, he lives on through his works.

His life had one distinguishing characteristic—that of love. He loved life; he loved his family and his home; he loved Kiwanis; he loved his fellow man, and—if there were any—he surely loved his enemies.

Through his work as a club and international officer, through the written and spoken word, he contributed in a measure exceeded by no man to molding the character of our organization.

In the two words, "We build," Roe Fulkerson epitomized the aspirations of Kiwanis and left a monument that will outlive Kiwanis International itself: Be it

*Resolved, therefore,* That Kiwanis International give expression to its deep sense of loss at the passing of one of its greatest leaders, Roe Fulkerson: And be it further

*Resolved,* That we rededicate ourselves to the lofty ideals which he espoused: And be it further

*Resolved,* That a copy of these resolutions be tendered to his widow and daughter with the heartfelt sympathy of 200,000 Kiwanis friends.

#### THE HAWAIIAN STRIKE SITUATION

[Mr. MORSE asked and obtained leave to have printed in the RECORD a letter addressed to him under date of August 24, 1949, relative to the strike situation in Hawaii, which appears in the Appendix.]

#### LEAVE OF ABSENCE

Mr. JOHNSON of Colorado asked and obtained consent to be absent from the Senate for the next 10 days.

#### THE CALENDAR

Mr. LUCAS. Mr. President, under the unanimous-consent agreement, the calendar is to be called today, starting with

Calendar No. 853, House bill 1758, but, in view of the fact that other calendar numbers have been listed, I think the better procedure would be to start with the earlier numbers on the calendar, No. 496, House bill 1694, to be the first called.

The VICE PRESIDENT. Without objection, the calendar will be called, beginning with the odd numbers. The Secretary will call the first bill, Calendar No. 496, House bill 1694.

Mr. MORSE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Alken	Hoey	Mundt
Anderson	Holland	Murray
Butler	Ives	O'Mahoney
Cain	Johnson, Colo.	Reed
Chapman	Johnson, Tex.	Robertson
Chavez	Kern	Saltonstall
Connally	Kerr	Smith, Maine
Cordon	Kilgore	Sparkman
Donnell	Knowland	Stennis
Downey	Langer	Taft
Ecton	Long	Taylor
Ellender	Lucas	Thomas, Okla.
Frear	McClellan	Thomas, Utah
Fulbright	McFarland	Vandenberg
George	McKellar	Watkins
Gillette	McMahon	Wherry
Gurney	Magnuson	Wiley
Hayden	Malone	Williams
Hendrickson	Miller	Withers
Hickenlooper	Millikin	Young
Hill	Morse	

Mr. LUCAS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senators from Rhode Island [Mr. GREEN and Mr. LEAHY], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from North Carolina [Mr. GRAHAM] is absent by leave of the Senate on public business.

The Senator from Minnesota [Mr. HUMPHREY] is detained on official business.

The Senator from Wyoming [Mr. HUNT] is absent by leave of the Senate on official business.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Nevada [Mr. McCARRAN], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from West Virginia [Mr. NEELY] is absent on official business.

The Senators from Maryland [Mr. O'CONOR and Mr. TYDINGS] are necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from New York [Mr. DULLES], the Senator from Michigan [Mr. FERGUSON], the junior Senator from Vermont [Mr. FLANDERS], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. SCHOEPPLE], and the Senator from New Hampshire [Mr. TOBEY] are absent by leave of the Senate.

The Senator from Connecticut [Mr. BALDWIN] is absent by leave of the Senate on official business.

The Senator from Maine [Mr. BREWSTER], the Senator from Ohio [Mr.

BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], the Senator from Wisconsin [Mr. McCARTHY], and the Senator from Minnesota [Mr. THYE] are necessarily absent.

The Senator from Pennsylvania [Mr. MARTIN] and the Senator from New Jersey [Mr. SMITH] are absent on official business.

The VICE PRESIDENT. A quorum is present.

The VICE PRESIDENT. Under the unanimous consent order, the Senate now proceeds to the consideration of bills on the calendar to which there is no objection, beginning with Calendar No. 853. However, certain calendar numbers were ordered to be called first. The clerk will call first Calendar No. 496, House bill 1694.

#### RETURN OF REHABILITATION AND BETTERMENT COSTS OF FEDERAL RECLAMATION PROJECTS

The bill (H. R. 1694) to provide for the return of rehabilitation and betterment costs of Federal reclamation projects was announced as first in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I send to the desk an amendment and ask that it be stated.

The VICE PRESIDENT. There is an amendment pending. In the first place, the Senate has not yet given consent to the consideration of the bill.

Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 1694) to provide for the return of rehabilitation and betterment of costs of Federal reclamation projects.

The VICE PRESIDENT. There is an amendment pending.

Mr. O'MAHONEY. Mr. President, I have consulted with the Senator from New Jersey. The amendment which he sends to the desk is quite satisfactory. I think it is a substitute for the pending amendment, which I offered at the last call of the calendar. I therefore withdraw my amendment.

The VICE PRESIDENT. The amendment offered by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. On page 2, line 3, after the period, it is proposed to insert the following new sentence:

No such determination of the Secretary of the Interior shall become effective until 60 days after it has been submitted to the Committee on Interior and Insular Affairs of the Senate and the Committee on Public Lands of the House of Representatives.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to. The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide for the return of rehabilitation and betterment costs of Federal reclamation projects."

AGUA CALIENTE INDIAN RESERVATION, CALIF.

The bill (H. R. 5310) to confer jurisdiction on the State of California over the lands and residents of the Agua Caliente Indian Reservation in said State, and for other purposes was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I send to the desk an amendment—

The VICE PRESIDENT. The amendment cannot be considered until the Senate has given consent to the consideration of the bill. There is a committee amendment.

Is there objection to the present consideration of the bill?

Mr. CHAVEZ. Mr. President, reserving the right to object, I should like to have the attention of the Senator from California [Mr. DOWNEY]. I have received some complaints about section 4, which is an amendment inserted by the Senate committee. In view of the fact that it is my understanding that a committee from the House of Representatives will visit that section of the country during the recess period, I wonder whether the Senators from California would be willing to strike section 4 from the bill?

Mr. DOWNEY. Yes, Mr. President. I wish to state, on behalf of myself and my colleague, the junior Senator from California [Mr. KNOWLAND] that we would not object to an amendment striking out section 4.

*Supplemental estimates for fiscal year 1950 submitted to Congress in Senate and House documents since the submission of the budget for 1950*

Title of bill	Supplementals to regular bill	Third deficiency	Supplemental, 1950	Special resolution	Not yet considered
Agriculture	\$1,085,000	\$273,000	\$6,450,000.00	\$3,500,000	
District of Columbia	557,300		379,759.00		\$159.66
Independent offices	228,528,000	49,115,000	23,750,000.00		180,300,000
Interior	8,005,416		3,089,500.00		7,675
Labor-Federal Security:					
Labor	216,200	4,200,000	135,200.00		
Federal Security	423,600	41,496,500	757,300.00		60,000
Other related agencies		207,700			
Legislative	1,216,499	2,048,890			6,900
Military Establishment	129,125,000		5,000,000.00		
Civil functions	7,353,520				
State, Justice, Commerce, and Judiciary:					
State	1,139,440	1,955,000	29,900,000.00		
Justice	1,544,500	382,000			
Commerce	5,875,000	593,807	9,850,421.92		
Judiciary	2,500	130,000			311,100
Treasury and Post Office:					
Treasury	3,600,000	8,692,400	35,000.00		
Post Office			2,950,000.00		
Foreign aid:					
Joint Committee on Economic Cooperation	76,720				
Economic Cooperation Administration	4,198,200,000				
Greece and Turkey	50,000,000				
GARIOA	1,000,000,000				
Total	5,535,809,255	109,394,297	82,297,130.92	3,500,000	180,845,335

<sup>1</sup>Net.

<sup>2</sup>Decrease.

Summary:	
Regular bills	\$5,535,809,255.00
Third deficiency	109,394,297.00
Supplemental, 1950	82,297,130.92
Special resolution	3,500,000.00
Not yet considered	180,845,335.00
Total	5,911,846,067.92

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have

XCV—778

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I point out that the amendment which I sent to the desk does precisely the same thing as the Senator from New Mexico has suggested.

The VICE PRESIDENT. That is a committee amendment. The question will be on agreeing or disagreeing to it.

Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments.

The first amendment of the Committee on Interior and Insular Affairs was in section 2, on page 2, line 10, after the words "prior to" to strike out "July" and insert "December."

The amendment was agreed to.

The next amendment was, in section 3, on page 2, at the beginning of line 16, to insert "not to exceed"; and in line 20, after the word "but", to strike out "during" and insert "within the confines of."

The amendment was agreed to.

The next amendment was, on page 3, after line 10, to insert:

Sec. 4. That when and as may be desired by the Agua Caliente Band as to unallotted land, and by an allottee as to allotted land, the following-described land in said reservation may be leased, for the purposes indicated herein, and subject to the approval of the Secretary of the Interior, for a term not longer than 25 years, with an option to renew for a like period on a reasonable rental basis: (1) Sections 26 and 35, township 4 south, range 4 east, and section 2, township 5 south, range 4 east, San Bernardino base and meridian, for the development and maintenance of a golf course and country

club; (2) lots 3, 4, 13, and 14 in section 14, township 4 south, range 4 east, San Bernardino base and meridian, for the development and maintenance of a mineral springs spa, and an Indian trading post and museum; and (3) section 12, township 4 south, range 4 east, and section 18, township 4 south, range 5 east, San Bernardino base and meridian, for the preservation, extension, and development, as a municipal airport for the city of Palm Springs, and as an aid to national security, of the airport which was constructed and maintained by the Federal Government in its prosecution of World War II.

The VICE PRESIDENT. The question is on agreeing to the committee amendment, which is the one involved in the colloquy between the Senator from New Mexico [Mr. CHAVEZ] and the Senator from California [Mr. DOWNEY].

The amendment was rejected.

Mr. HENDRICKSON. Mr. President, I withdraw my amendment.

The VICE PRESIDENT. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### SUPPLEMENTAL ESTIMATES AND APPROPRIATION BILLS, 1950

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks a tabulation entitled "Supplemental Estimates for Fiscal Year 1950, Submitted to Congress in Senate and House Documents Since the Submission of the Budget for 1950."

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

printed in the RECORD at this point as a part of my remarks a tabulation entitled "Fiscal Year 1950 Appropriation Acts and Bills as of August 26, 1948." This shows the action taken by Congress on appropriation bills up to date. I place these statements in the RECORD so that

Members of the Senate may have this information before we conclude consideration of the armed services appropriation bill.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Fiscal year 1950 appropriation acts and bills as of Aug. 26, 1949

Act or bill	Budget estimate	Passed House	Last action	Increase (+), decrease (-), last action compared with budget estimate	Increase (+), decrease (-), last action compared with House action
Agriculture (law).....	\$727,906,908	\$701,122,079	\$715,601,607	-\$12,305,301	+\$14,479,528
District of Columbia, Federal contribution (law).....	12,000,000	12,000,000	12,000,000		
Independent offices (law).....	8,051,343,830	7,103,506,553	7,617,739,361	-433,604,469	+514,232,808
Interior (in conference).....	624,818,111	536,461,908	595,262,257	-29,555,854	+58,800,349
Labor-Federal Security Agency (law).....	2,234,389,285	2,210,694,085	2,387,799,885	+153,410,600	+177,105,800
Legislative (law).....	73,582,184	62,200,705	62,262,110	-11,320,074	+61,405
National Military Establishment (reported to Senate).....	13,248,960,700	13,272,815,800	12,731,834,478	-517,126,222	-540,981,322
State, Justice, Commerce, and Judiciary (law).....	740,362,956	684,616,102	677,072,102	-62,390,854	-6,644,000
Treasury-Post Office (law).....	8,176,206,750	3,072,817,903	3,090,528,904	-85,737,846	+17,711,001
Civil functions (in conference).....	772,458,220	603,292,270	751,440,690	-21,017,530	+158,148,420
Foreign aid, 1950 items only* (in conference).....	5,248,544,000	4,543,470,000	4,573,724,000	-674,820,000	*+30,254,000
Third deficiency, 1950 items only (passed Senate).....	151,209,297	67,324,367	129,891,472	-21,317,825	+62,567,105
Supplemental, 1950 items only (passed House).....	81,917,422	64,911,122	64,911,122	-17,006,300	
Subtotal.....	35,143,759,603	32,925,232,894	33,410,967,988	-1,732,791,675	+485,735,094
*Does not include \$1,074,000,000 for last quarter of fiscal year 1949. On last action comparison with House bill: Less reduction due to Senate committee placing ECA on 12-month basis instead of 10½-month basis, plus other Senate committee reductions and taking into account public debt transaction of \$150,000,000 in Senate bill. The figure of \$359,781,420 consists of Senate reduction of \$479,527,420 less the \$150,000,000 public debt transaction or a net reduction of \$329,527,420 to which figure must be added \$30,254,000 since it is shown in the tabulation above as a plus and must be taken out of the totals. The Senate reduction in the House bill on a 12-month basis is \$329,527,420.					-359,781,420
Total.....	35,143,759,603	32,925,232,894	33,410,967,988	1-1,732,791,675	2+125,953,674
Permanent appropriations as contained in 1950 budget.....	5,921,542,299	5,921,542,299	5,921,542,299		
Grand total.....	41,065,301,902	38,846,775,193	39,332,510,287	1-1,732,791,675	2+125,953,674

1 In addition, the last action on the bills and acts included in the foregoing table shows a net reduction of \$36,003,672 in contract authorization as compared to total contract authorizations proposed in the 1950 budget estimates.

2 In addition, the last action on the bills and acts included in the foregoing table shows a net reduction of \$557,840,800 in contract authorization as compared to total contract authorizations proposed by the House.

## BILL PASSED TO FOOT OF THE CALENDAR

The VICE PRESIDENT. The Secretary will state the next bill in order.

The bill (H. R. 3851) to amend Public Law 289, Eightieth Congress, with respect to surplus airport property, and to provide for the transfer of compliance functions with relation to such property was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I should like to have an explanation of the bill.

The VICE PRESIDENT. The Senator from Minnesota [Mr. HUMPHREY] does not seem to be present.

Mr. McCLELLAN. Mr. President, the Senator from Minnesota made the report on this bill. He is not present at the moment. He will probably be in the Chamber later. I ask that the bill be passed to the foot of the calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

## AMENDMENT OF THE FEDERAL AIRPORT ACT—BILL PASSED OVER

The bill (S. 1284) to amend section 6 of the Federal Airport Act was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HOLLAND. Mr. President, at the request of the Senator from Vermont [Mr. FLANDERS] I enter his objection.

The VICE PRESIDENT. The bill is passed over.

## SAN LUIS VALLEY PROJECT, COLORADO—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 1385) providing that excess land provisions of the Federal Reclamation laws shall not apply to certain lands that will receive a supplemental water supply from the San Luis Valley project, Colorado, was announced as next in order.

Mr. THOMAS of Utah. Mr. President, at the request of the Senator from Illinois [Mr. DOUGLAS] I ask that the bill be passed over. I understand that consultations are in progress in regard to this bill.

Mr. MILLIKIN. Mr. President, would it be agreeable to have the bill go to the foot of the calendar, so that if we can conclude our negotiations during the day we may consider the bill on the call of the calendar?

Mr. THOMAS of Utah. That is satisfactory, Mr. President.

Mr. FULBRIGHT. Mr. President, reserving the right to object to the request—and I shall not object—this same problem has arisen with regard to a project in Arkansas. If this bill is passed—and I shall not object—I remind Senators that I shall expect similar consideration of the problem which arises in my State.

Mr. WHERRY. Mr. President, I do not quite understand the observations of the Senator from Arkansas. Does he mean that there is a bill affecting Arkansas which he wishes to bring up at the conclusion of the call of the calendar?

Mr. FULBRIGHT. No. I simply stated that this problem is involved in a project in Arkansas. We may be setting a precedent by this bill, to which I have no objection.

The VICE PRESIDENT. On request of the Senator from Colorado, the bill goes to the foot of the calendar.

## HURRICANE DAMAGE TO FLORIDA

Mr. HOLLAND. Mr. President, I ask unanimous consent to make a statement for not to exceed 5 minutes.

The VICE PRESIDENT. Inasmuch as the Senate is now operating under the 5-minute rule, the Senator does not have to obtain consent for that purpose.

Mr. HOLLAND. Mr. President, I wish to address the Senate very briefly in regard to the bad news we have had from my State this morning with reference to

the tropical hurricane which apparently has passed across the peninsula in a northwestwardly course from the vicinity of the Fort Lauderdale and West Palm Beach area, on the east coast, to a point some 75 miles north of Tampa, on the west coast. This course took the hurricane through some of our most important winter resorts, across the highly developed agricultural areas adjoining Lake Okeechobee and through the heart of the ridge citrus area.

I shall not take up the time of the Senate with conjectures in regard to the amount of damage which has been sustained. Of course, the damage is very heavy. The Chief of Engineers, to whom I have talked about this matter, informs me that there have been at least three deaths and a great many injuries in the east coast area alone, with only partial reports available at this time.

I mention this matter now in order to call attention to the fact that we have, affecting this peninsular area of our State, a most vital matter which is contained in the civil functions appropriations bill, now in conference between the two Houses. It is upon that matter that I wish to dwell briefly.

Mr. President, if the flood conditions which prevailed in the fall of 1947, at which time we had a heavy hurricane, had prevailed last night, we would have sustained in that particular area, in my humble judgment, and judging from the statements which have been made to me today by the engineers, an undetermined number of fatalities, perhaps going into the thousands. I do not believe the Members of the Senate really comprehend the actual situation in that area. We have in our State a rainy season during the summer and extending through the equinoctial period in the fall. If we have heavy rainfall preceding the coming of the equinox, and if then we happen to have one of the equinoctial hurricanes, it is then that we have the maxi-

mum danger, because the greatest hazard comes, not from the wind, but from the water. It is water, blown by the hurricane, which causes the greatest damage and loss to our people and their property.

In 1947, as shown by the records of the hearings before the Senate Committee on Public Works, the area of the lowlands surrounding Lake Okeechobee, which comprised one vast water area, was about seven times the area of the basin of Lake Okeechobee itself. Lake Okeechobee has a basin of approximately 700 square miles, but there was about 5,000 square miles of continuous water area in 1947 from the flood conditions which existed then. If the storm of 1947 had followed directly in the path of the storm which came last night, we would have suffered, in the area surrounding the lake, hundreds and perhaps thousands of casualties. Approximately 30,000 people live right around the perimeter of Lake Okeechobee. They live on slightly elevated land, somewhat higher than the back land; but they are the ones who have the supreme danger when a hurricane comes during the flood season and while flood conditions obtain.

Our people are tremendously grateful to the Nation for the fact that levees have been built, which protect us from the waters of Lake Okeechobee itself. Again last night it appeared that the levees are fully adequate so far as protection against the waters of Lake Okeechobee is concerned. It is the waters that accumulate back of Lake Okeechobee or outside of it, when we have had heavy floods preceding the coming of a hurricane, that present the greatest threat to the lives and property of our people. Fortunately, we did not have that situation last night; and I hope the facts, as they are ascertained, will show that we have not sustained one of our gravest disasters, insofar as loss of life is concerned.

The Senate will recall that in 1926 and 1928, we lost a total of approximately 2,500 of our citizens, due to the fact that in those days we had no protection from the waters of the lake itself. Now we have such protection; but we do not have protection against the waters in the lowlands when there has been excessive rainfall during the rainy season, which sometimes occurs, and when following that we have one of the equinoctial hurricanes which happens to come in such intensity, and from such a direction, that it will hurl immense volumes of water against and over our people and their property.

The Chief of Engineers told me just a while ago—and this is a fact which I wish to pass along to the conferees on the civil functions appropriation bill—that the water along the levees on the side of Lake Okeechobee against which the full force of the storm came, was raised over 11 feet during the storm. In other words, last night the wind threw such vast amounts of water against the levees that the water level there was raised over 11 feet within a few hours. That shows what the force of the hurricane does when it strikes those wide expanses of shallow water.

My reason for mentioning the matter at this time is that now in conference there is an item of \$4,000,000 in the civil functions appropriation bill, for the purpose of enabling us to begin the four most necessitous life-saving and property protecting projects in our flood-control area. I have no doubt at all that the conferees on the part of the Senate will loyally stand up for the action the Senate took in that connection; but I wish to call this situation to their attention. Let me say here that I appreciate their presence in the Chamber at this time; I refer to the distinguished chairman of the committee, the Senator from Tennessee [Mr. McKELLAR], the Senator from Arizona [Mr. HAYDEN], the Senator from Oklahoma [Mr. THOMAS], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from South Dakota [Mr. GURNEY]. I call to their special attention the fact that so long as the building of those vital levees is postponed, we are going to have, each fall, at the storm season this threat of disaster hanging over our people.

I hope and pray that the conferees will exert their utmost endeavors to get this particular appropriation item enacted into law, so that at long last we may begin to build these vital, life-saving projects to reassure our people against the recurrence of the type of disaster which has frequently occurred but which, apparently, has not this time claimed so many of the lives of the people of the State of Florida as in other instances.

The VICE PRESIDENT. The time of the Senator from Florida has expired.

Mr. McKELLAR. Mr. President, I should like to address the Senate for a moment in reference to the subject discussed by the Senator from Florida.

The civil functions appropriation bill was sent to conference on June 1, nearly 3 months ago. It has been in conference all that time. Under the instructions of the committee, the secretary of the committee has daily, sometimes twice a day, urged the conferees to get together and see if they could iron out the various differences. However, we have been very unlucky and have not succeeded in getting any agreement at all.

The conferees on the part of the Senate have made every effort. We have offered to meet day or night with the conferees on the part of the House. We have offered to meet with them on Saturdays. We have urged the conferees on the part of the House to get together with us, so that the differences may be adjusted and so that this bill, which is of vital interest to every State in the Union, may finally be enacted into law. But, for some reason which I do not know, we have had the greatest of difficulty in getting the conferees together; and when we do get together, we have been unable to reach any agreement, although the conferees on the part of the Senate have offered compromises on every one of the amendments in controversy.

The item the Senator from Florida has discussed is one of the items in that appropriation bill. It is a worthy item. The committee heard the facts about it. It is a matter which I would naturally

think would promptly go through and be enacted into law.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CHAVEZ. The reason or the excuse given by at least one of the House conferees was developed day before yesterday or the day before that, in the House, when there was a motion to instruct the House conferees to agree with the conferees on the part of the Senate. One of the conferees on the part of the House said at that time that items such as the one which has just been described by the Senator from Florida were nothing but junk. That was the exact word used by that Member of the House, one of the House conferees. Yet this item would protect human life and property.

Mr. McKELLAR. Mr. President, it is quite remarkable that this bill has not finally been enacted. I say to the Senate generally, and particularly to the Senator from Florida, inasmuch as he has brought up this matter this morning. The conferees on the part of the Senate have been vigilant and active, and have been requesting conferences day by day, in fact at any time to suit the convenience of the conferees on the part of the House. But we have been unable to obtain an agreement.

Mr. CHAVEZ. The item which the Senator from Florida has in mind and has brought to the attention of the Senate is one of the items in dispute. To that item, as well as others in the bill, the Senate conferees are adhering with the idea that we may be able to do something not only for the State of Florida but for other regions throughout the United States which are subjected to the same kind of hazard.

#### TRIBAL OWNERSHIP OF COLVILLE INDIAN RESERVATION LANDS

The VICE PRESIDENT. The Secretary will state the next bill.

The bill (H. R. 2432) restoring to tribal ownership certain lands upon the Colville Indian Reservation, Wash., and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BUTLER. Mr. President, reserving the right to object, when this bill was previously called. I objected, with the statement that I thought the disposition of this amount of land, 818,000 acres, should receive greater attention than it is possible to give it on the call of the calendar, and that either the committee of the House or of the Senate should hold hearings on it in the meantime. Nearly 1,000,000 acres of land are involved. In connection with the objection, which I make, to the consideration of the bill at this time, I should like to read a very short editorial appearing in the *Spokesman-Review*, of Spokane, under date of August 20. The title of the editorial is "Delay Desirable on Colville Land Bill." It reads as follows:

#### DELAY DESIRABLE ON COLVILLE LAND BILL

There may be merit in Congressman WALT HORAN's bill (H. R. 2432) to give 818,000 acres in Ferry and Okanogan Counties back to the Colville Indians. But certainly it doesn't

have to be pushed through the Senate by 2 o'clock next week.

The people of the counties, of the Fifth District, and of the State have a right to be heard. Most of them didn't know there was such a proposal until the wisdom of the move was questioned by the American Mining Congress.

Mr. HORAN says he heard of no opposition in his home district until the American Mining Congress entered the picture. If there had been hearings on the proposal in the district, some opposition might have developed.

The land, be it remembered, was opened to entry in 1916 and closed in 1934. The General Land Office in 1944 started wholesale adverse proceedings against owners of mining claims, of which there are said to be 8,000.

More than one critic has suspected the Interior Department, which includes both the Indian Bureau and the Land Office, of scheming to socialize and tie up the natural resources of the West.

The bill has already passed the House, but it seems that the Senate ought to delay final action on the measure until the people and the interests involved have an opportunity to learn what the issue is all about.

Mr. President, I object to the present consideration of the bill.

The VICE PRESIDENT. The bill goes over.

#### AMENDMENT OF INTERNAL REVENUE CODE—BILL PASSED OVER

The bill (H. R. 5268) to amend certain provisions of the Internal Revenue Code was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, on behalf of the Senator from Pennsylvania [Mr. MARTIN] and the Senator from Indiana [Mr. CAPEHART] I object.

The VICE PRESIDENT. The bill goes over.

Mr. KNOWLAND. Mr. President, will the Senator withhold his objection long enough to permit me to offer an amendment to the bill?

Mr. HENDRICKSON. I gladly withhold the objection for that purpose.

The VICE PRESIDENT. The amendment of the Senator from California will be received, printed, and lie on the table. It is unnecessary to withhold an objection in order to send to the desk an amendment, to be printed and lie on the table.

Mr. WILLIAMS. Mr. President, I send to the desk an amendment, which I ask to have printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

Mr. GEORGE. Mr. President, this is an important bill. It is not a very difficult bill to understand, but it is a bill of some importance. I am going to request the majority leader to give consideration to the assignment of 1 hour for the consideration of the bill during one day next week, if possible, or the week following. The bill will be amended in certain respects, and it has been amended by the committee in certain respects, and it will necessarily go back to the House. The House conferees, of course, could not be appointed before the 21st of September, but the bill is so important in certain

respects that I think it deserves an hour, and I believe an hour would be ample for the full consideration of the measure, at some time later next week.

Mr. LUCAS. I realize the importance of the measure, as the Senator from Georgia has suggested, and I shall certainly endeavor to accommodate him. It is a piece of legislation which should be passed.

Mr. HOEY. Mr. President, I desire to offer an amendment.

The VICE PRESIDENT. Objection has been made.

Mr. HOEY. I merely want to offer the amendment, and request that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

The Secretary will state the next item on the calendar.

#### BILLS PASSED OVER

The bill (S. 2226) relating to the compensation of certain employees of the Panama Canal was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, by request, I object.

The VICE PRESIDENT. Objection is heard. The bill goes over.

The bill (H. R. 1758) to amend the Natural Gas Act approved June 21, 1938, as amended, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. HENDRICKSON. Mr. President, by request of the junior Senator from Tennessee, I object.

The VICE PRESIDENT. The bill goes over.

The bill (S. 1439) to provide for assistance to State agencies administering labor laws in their efforts to promote, establish, and maintain safe workplaces and practices in industry, thereby reducing human suffering and financial loss and increasing production through safeguarding available manpower, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. HENDRICKSON. Mr. President, on behalf of the Senator from Pennsylvania [Mr. MARTIN], I object.

The VICE PRESIDENT. The bill goes over.

#### HARNEY ENGINEERING CO.—BILL REFERRED TO COURT OF CLAIMS

The resolution (S. Res. 152) referring the bill S. 982 to the Court of Claims, was considered and agreed to, as follows:

*Resolved*, That the bill (S. 982) entitled "A bill for the relief of D. A. Sullivan & Sons, Inc., and Thomas F. Harney, Jr., doing business as Harney Engineering Co.," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the

Congress of the nature and character of the demand as a claim, legal, or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

#### SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 62) favoring the suspension of deportation of certain aliens was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months.

A-6201169, Abadi, Simon Ezra.

A-1029369, Abdullah, Abdi or Akbar Mohamed or Abdi Mohamed.

A-6245562, Agarwal, Friederecka or Friederecka Beatrice Maria, nee Sacla or Freda Moyea.

A-2329081, Aleci, Giuseppe.

A-3007951, Ali, Tahir or Tahir Ullah or Tiah Ali or Tiah Ullah.

A-5356203, Andreadis, Stamatios or Stamatios John Andreadis or Steve Andrews.

A-5479649, Arkell, Marjorie Elaine.

A-3260444, Avgoustis, Nicholas Stelianos or Nicholas Stelianou Avgoustis.

A-5421256, Baer, Hans.

A-3722049, Baros, Nicholas or Nicholas Barus.

A-5262324, Bavas, Athanasios (alias Thomas Bavas).

A-5214140, Belli, Otello Manlio or Mario Belli.

A-3083903, Benavides, Alfonso.

A-5856332, Bevilacqua, Theresa Mary (nee Falzone or Falzono, nickname Tessie).

A-6791526, Birescu, Alexander Stefan.

A-6264002, Bizimis, Angeline.

A-6303931, Blythe, David Wardhough.

A-374440, Bonventre, Francesco or Frank.

A-6246094, Bopipas, Dimitroula.

A-5630271, Borges, Antonio Augusto Da Silva or Antonio Borges.

A-9799665, Boutacoff, Alexis Alexander.

A-5949003, Bye, Rolf Ole.

A-1830412, Calvo, Francesco.

A-3998388, Cardenas, Arcadio or Alcadio Cardenas.

A-7026401, Carner, Ariel.

A-6857770, Castellanos-Ybarra, Joaquin or Jesus Reyes-Mendoza.

A-6032675, Castellanos, Maria Trinidad Reyes de or Trinidad Reyes de Castellanos.

A-4137847, Chang, Young Chi Sin Yeung or Chi Sin Yeung Chang.

A-2587813, Chen, Chia-You.

A-5768484, Chuan-Te Liu, Barry.

A-6626018, Cobos, Ruben or Ruben Cebos or Ruben Cobos Astorga.

A-3686305, Cordaro, Calogero or Charles Cordaro.

A-7563142, Crocker, Julie or Juliette.

A-4197279, Da Cunha, Constantino.

A-9703142, Daley, Roy Augustus.

A-5884972, Delnum, Henry Jacob or Hank J. Deinum.

A-6303162, De Leon-Garza, Feliciano.

A-3559094, De Morales, Gregoria Salazar or Gregoria Salazar.

A-5389310, Doesseckle, Thomas Francis or Frank Doesseckle.

A-5444981, Doherty, Rose Frances formerly Anslow (nee Firminger).

A-5079142, Dryer, Ben.

A-7515284, Fang, Sheng Chung.

A-5335908, Fennell, Betty Elizabeth (nee Levy or Levee or Bety Marks).

A-5825680, Flessas, George Anastasiou.

A-6209443, Flores-Palacios, Raimundo.

A-6204212, De Flores, Maria Lopez.

A-6281370, Franco, Samuel.

A-4812082, Frangiskatos, Speros or Spiridon.

A-6141195, Franquelli, Leandro Antonio Basilio or Leandro Franquelli.  
 A-5390434, Gallardo, John Ernest.  
 A-6125122, Garcia-Ledesma, Isais.  
 A-6774172, Giles, Stephen Duffy.  
 A-6970309, Godley, Eric Clive.  
 A-1620146, Gomez, Josefa or Josephine Gomez or Josefa Abascal de Gomez.  
 A-3466704, Gonzalez, Roberto Lorenzo or Robert Lawrence Gonzalez.  
 A-2260872, Gowzeles, Constantinos or Gustor Gust.  
 A-5820732, Green, David.  
 A-3507405, Gruszka, Herman or Raymond Grand (alias Harry Grand).  
 A-1653505, Gulkis, Pauline (nee Pessie Shergick or Pessie Shaw).  
 A-2965670, Gustavson, Helge Waldemar or Helge Gustafsson.  
 A-6248239, Gutlohn, Victoria Veronica Susanna.  
 A-6180925, Hesse, William or Willem Hesse.  
 A-6018694, Heylgers, Louis Aron.  
 A-6140935, Hinds, Humphrey John.  
 A-3657461, Hochberg, Betty or Bella or Betty Smoke or Betty Lahnes or Esther Robert.  
 A-5807798, Hofmo, Emil Lie or Lee E. Hofmo.  
 A-2631184, Hoque, Shamsul or Abdul Kholek.  
 A-5685262, Jacinto, Jose Pereira or Joe Pereira or Joseph Perera.  
 A-3262256, Joest, Otto or William Graak.  
 A-5702119, Karol, Charles Walter Barton or Charles Walter Bartoszewski or Charles W. Bartoszewski or Charles Walter Bradley or Bailey.  
 A-6261611, Kavathas, Evanthia (nee Evanthia Thomaldou).  
 A-6049263, Kehrnhahn, Alicia Antonietta or Alicia de Asplazu (nee Alicia Antonietta Aguilera Murillo).  
 A-5662102, Keller, Hermann Friedrich or Herman Frederick Keller.  
 A-3295447, Kipper, Aleksander.  
 A-3894155, Korkos, Lambros Spiros or James Korkos.  
 A-6232433, Kozlowski, Peregrina Rodriguez de or Peggy Rodriguez or Peggy Valadez.  
 A-3850163, Krasnopolsky, Jacob or Jack Grasser or Jack Krasnoff.  
 A-3319669, Krohn, Erwin Gustav.  
 A-6142511, Kuebitz, Hermann Wilhelm.  
 A-5792616, Lacobazzi, Vitonicoia (alias Vito Nicola Yacobazzi).  
 A-1051733, Lambie, Thomas Bentley.  
 A-5074647, Laskody, John or Laskodi or Joan Laskodi.  
 A-5330491, Latousakis, Michael or Massis Lasis.  
 A-3738980, Lau, Chong Sui or Sui Lau Chong or Cheung Gim Fay or Chong Kim Fei or Cheung Jung Ming or Cheung Shin Lau.  
 A-7618223, Leung, Paul Yung Tung or Yung Tung Leung.  
 A-7618224, Leung, Peter Fung Tung or Woon Tung Leung.  
 A-2956578, Licata, Salvatore.  
 A-5500662, Lira-Barcenas, Alberto.  
 A-5500663, De Lira, Paula Jimenez.  
 A-6961069, Lira-Jimenez, Victor.  
 A-9179138, Ludvik, Josef.  
 A-5355957, Lykiardopoulos, Gerasimos or Jerry Poulos.  
 A-6378855, Magnani, Margherita (nee Giovannella).  
 A-6404235, Manobbio, Aura (nee Aura Peraza).  
 A-5074629, Martinez y Rodriguez, Gervasio or Gervasio Martinez.  
 A-6264869, Martinez-Torres, Francisco or Enrique Martinez.  
 A-2201044, Mavris, Isidoros Markos or Isidor Marko Mavris.  
 A-3571216, Mazzei, Charles or Carmine.  
 A-6249255, Melisakis, Maria N.  
 A-3529277, Mesaros, Stefan or John Gabor or Steve Demko.

A-5259895, Meza, Agnes (nee Agnes Naomi Lightbourne).  
 A-1785711, Mielke, Wolfdietrich Reinhard Julius Fritz or Wolfdietrich Mielke or George Wolf or Wolfdietrich Mielke or George Wolf.  
 A-5698352, Mihalos, Nicolaos or Nick M. Mike or Nicholas M. Mick.  
 A-9730962, Mikalsen, Einar Edvin Hendry or Einar E. H. Mikalsen.  
 A-6772023, Molina, Augustine, Jr., or Augustin Molina.  
 A-5166673, Monache, Eugenio Delle (alias Raffaello Orsini or Ralph Orsini).  
 A-5728143, Monok, Janos or John Monok.  
 A-3759224, Morin, Giuseppe.  
 A-5265514, Mourao, Manuel Vaz.  
 A-6359966, Neumann, Joan (formerly Joan Weller Greer Shephard or Joan Weller Greer Hope-Johnson).  
 A-5774953, Nevarez-Alarcon, Nolberta or Norberta Nevarez-Alarcon.  
 A-1115513, Orav, Paul.  
 A-6301813, Ortega-Duarte, Jorge or George Ortega-Duarte or George D. Ortega.  
 A-6330435, Owens, Francis Henry or Frank Owens.  
 A-5635369, Paradosso, Eugenio or Jimmie Paradosso Penna or Jimmie Paradosso.  
 A-2899665, Pereira, Antonio Jose.  
 A-5821654, Perez, Ivy Gomez or Rose Perez or Ivy Duchesne Gomez or Ivy Gaston.  
 A-1879601, Perl, Eugene Jacob or Jacob Perl.  
 A-5064255, Perugino, Giuseppe.  
 A-6423807, Pirzio-Biroli, Giacomo.  
 A-4957358, Racey, Lawrence William or Lawrence William Rase.  
 A-5407879, Ramirez, Jose Luis or Jose Ramirez or Luis Ramirez.  
 A-7044230, Rey, Joaquin Israel Trujillo.  
 A-7050671, Rey, Daisy Trujillo or Daisy.  
 A-6366413, Ribes, Elise (nee Fontenelle).  
 A-6459421, Ridgway, Jacqueline Marie Householder or Jacqueline Marie Householder (maiden name).  
 A-6372752, Ripley, Ronald Edward or Ronald Edward Page.  
 A-6372754, Ripley, Mervyn Keith or Mervyn Keith Page.  
 A-6279244, Ristelgen, Inga.  
 A-6279243, Ristelgen, Gunhild.  
 A-6688373, Rodriguez-Esquivel, Juan or Ernest Gutierrez or Ernest Castro Gutierrez or Ernesto Gutierrez, or Ernesto Castro Gutierrez.  
 A-5129758, Salvemini, Giacomo or Jack Salvemini or Domenico Americo Sforza.  
 A-5796966, Santoya, Francisca Cruz or Francisca Cruz or Francisca Mata.  
 A-4209125, Sarafis, Christos Alexander.  
 A-3851318, Schiavi, Angelo.  
 A-5688544, Schmidt, Hilda Rose or Hilda Rose Manning or Hilda Rose Jackson.  
 A-5601137, Schmitt, Vilma (nee Zold).  
 A-4809719, Schnee, Rose or Rose Shapiro or Rose Meyer.  
 A-5257484, Serra, Juan Marl or Juan Marl.  
 A-4242776, Siebert, Walter Heinrich August or Walter Henry Siebert.  
 A-5377193, Siegel, Freida Rosalie (nee Rascha Fradel Siegel).  
 A-5610957, Silberman, Frank or Traian Lazar Zoladz or Frank Caberman.  
 A-5056181, Simoncic, Martin or John Weber.  
 A-2741589, Sofkitis, George Michael or Mike Sofkitis.  
 A-2518842, Sague, Abdul.  
 A-5886907, Simkunas, Antanas.  
 A-4541327, Solis-Ayerdi de Sanchez, Dolores or Dolores Solis de Sanchez or Dolores Solis de Vara.  
 A-5390856, Sourcin, Alice Paquerette.  
 A-2856317, Spanos, Petros.  
 A-6929710, Sparrow, Florence Blanche (nee Cann).  
 A-6018628, Starosciak, Sophia Jadwiga (alias Zofia Starosciak, alias Zofia Starosciak).  
 A-1863401, Susan, Ferencz or Frank Susan.

A-5059057, Sutlovich, Frank Rudolph.  
 A-5374797, Szasz, Gustav.  
 A-3685757, Tamberg, Harry John (alias Harry J. Tamberg, alias John Tamawots, alias John or Johannes Tanawots or Tamawots).  
 A-6305580, Tauber, Laszlo Nandor or Leslie Ferdinand Tauber.  
 A-9705985, Theocharides, Theocharis.  
 A-5427501, Thorne, Sidney Alphonso, or Sidney Durant.  
 A-3859128, Tieger, Mary (nee Weinstein or Glassman, nee Borochovitze or Berkowitz).  
 A-7759520, Tokcaer, Mursit Muraduresit.  
 A-3362361, Tom Kim Fong or Tom Kim Fong.  
 A-5948146, Trpchevich, Traiche George (alias Nick George alias Mike George Trpchevich).  
 A-5308905, Vasquez, Santos.  
 A-1165476, Vassallo, Damiano.  
 A-9741750, Vatoulos, Theochares Stamatis or Theocharis S. Vatoulos or Harry Vatoulos.  
 A-6136671, Vega-Munoz, Luis.  
 A-5817962, Verhelst, Alfons or Alfons August Verhelst or Alphonse Vereist.  
 A-6402296, Vidal, Jose or Llecha.  
 A-5949830, Wright, Thomas William.  
 A-5539145, Ybarra, Jose Martin.  
 A-5227047, Yuhas, Jan or John Yuhas.  
 A-2152898, Zech, Ludwig.  
 A-3460791, Zizzo, Antonino or Antonio Rizzo.

#### SONG KWAN LEE

The bill (S. 436) for the relief of Song Kwan Lee, also known as Paul Molina, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of the immigration laws Song Kwan Lee, also known as Paul Molina, the foster son of Maj. Orlando A. Molina, of Tampa, Fla., shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of his actual entry into the United States, upon the payment by him of the visa fee of \$10 and the head tax of \$8.

SEC. 2. Upon the enactment of this act the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available immigration quota for nationals of Japan.

#### JOHN M. HART

The bill (S. 1447) for the relief of John M. Hart, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John M. Hart, Box P. M. B.-749, Alcatraz, Calif., the sum of \$100, in full satisfaction of his claim against the United States for refund of a fine which was imposed upon him by the United States District Court for the Western District of Kentucky on October 13, 1937, but was subsequently determined by such court on September 15, 1948, to have been improperly imposed: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

JOHN E. BURNS

The bill (H. R. 632) for the relief of John E. Burns, was considered, ordered to a third reading, read the third time, and passed.

JAMES LANDER THOMAS

The bill (H. R. 1065) for the relief of the estate of James Lander Thomas, was considered, ordered to a third reading, read the third time, and passed.

JOHN J. O'MARA

The bill (H. R. 1631) for the relief of John J. O'Mara, was considered, ordered to a third reading, read the third time, and passed.

MRS. VESTA MEINN AND MRS. EDNA WILLIAMS

The bill (H. R. 1701) for the relief of Mrs. Vesta Meinn, and Mrs. Edna Williams, was considered, ordered to a third reading, read the third time, and passed.

CHARLES E. ADER

The bill (H. R. 1792) for the relief of Charles E. Ader was considered, ordered to a third reading, read the third time, and passed.

SOO HOO YET TUCK

The bill (H. R. 1979) for the relief of Soo Hoo Yet Tuck was considered, ordered to a third reading, read the third time, and passed.

AULDON ALBERT AIKEN

The bill (H. R. 2628) for the relief of Auldon Albert Aiken was considered, ordered to a third reading, read the third time, and passed.

MRS. JUSTA G. VDA DE GUIDO ET AL.

The bill (H. R. 3768) for the relief of Mrs. Justa G. Vda de Guido, Belen de Guido, Mulia de Guido, and Oscar de Guido, was considered, ordered to a third reading, read the third time, and passed.

MRS. MARY L. W. DAWSON

The bill (H. R. 3803) for the relief of Mrs. Mary L. W. Dawson was considered, ordered to a third reading, read the third time and passed.

ANNIE BALAZ

The bill (H. R. 3837) for the relief of Annie Balaz, was considered, ordered to a third reading, read the third time, and passed.

MRS. GIUSTINA SCHIANO LOMORIELLO

The bill (H. R. 5160) for the relief of Mrs. Giustina Schiano Lomoriello, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Reserving the right to object, may we have an explanation of the bill, Mr. President?

Mr. KILGORE. Mr. President, the purpose of the bill is to permit Mrs. Lomoriello, a native-born former citizen of the United States, who lost her citizenship by voting in an Italian election, to regain her American citizenship.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CURTIS R. ENOS

The Senate proceeded to consider the bill (H. R. 734) for the relief of Curtis R. Enos, which had been reported from the Committee on the Judiciary with an amendment, on page 4, line 6, after the word "heirs", to insert a colon and the following proviso: "Provided, That any suit brought under the authority granted herein shall be instituted within 6 months from the date of enactment of this act."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MARCIA MOSS CARROLL, A MINOR, AND CHARLES P. CARROLL

The bill (H. R. 3618) for the relief of the legal guardian of Marcia Moss Carroll, a minor, and Charles P. Carroll, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I note the claimants under this bill have no remedy in the United States Court of Claims, under the Court of Claims Act, for the reason that the court does not have jurisdiction over accidents occurring outside continental United States. It is my understanding that the basic purpose of the act was to eliminate the many private bills which are brought to Congress, involving personal injury and claims against the United States. This case demonstrates it seems to me that some consideration should be given to extending the jurisdiction of the United States Court of Claims to cover claims arising out of accidents occurring in a foreign country. In the light of this observation, Mr. President, I should like to ask the acting chairman of the Committee on the Judiciary whether we should not try to amend the Court of Claims Act on some basis.

Mr. KILGORE. I am in agreement with that statement. As a matter of fact, the Judiciary Committee has been considering some amendments to the act, because by reason of certain exclusions in the act, a great many private claims come before Congress. This happens to be one of those cases, but we do not have very many cases in this class.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 3618) for the relief of the legal guardian of Marcia Moss Carroll, a minor, and Charles P. Carroll, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the word "of", to strike out "\$14,859.24" and insert "\$15,202.24."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ZORA B. VULICH

The Senate proceeded to consider the bill (H. R. 4306) for the relief of Zora B. Vulich, which had been reported from the Committee on the Judiciary, with an amendment in line 5, after "August 22", to strike out "1945" and insert "1944."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 1772) to provide additional benefits for certain postmasters, officers, and employees in the postal field service with respect to annual and sick leave, longevity pay, compensatory time, and promotions, and for other purposes was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, I should like to invite the attention of the Senate to the fact that the cost will be approximately \$61,000,000. I think this is probably in the class of legislation which should not be passed on a mere calendar call.

The VICE PRESIDENT. Does the Senator object?

Mr. HENDRICKSON. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

ROBERT E. BRIDGE AND LESLIE E. ENSIGN

The Senate proceeded to consider the bill (H. R. 1620) for the relief of Robert E. Bridge and Leslie E. Ensign, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, after the word "of", to strike out "\$308.08" and insert "\$258.08"; and in line 7, after the words "sum of", to strike out "\$272.56" and insert "\$222.56."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

IMPROVEMENT OF THE CIVIL SERVICE

The bill (H. R. 3826) to amend the act of January 16, 1883, an act to regulate and improve the civil service of the United States, was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, the manner of establishing residence under this bill is by certification from a county or municipal official. As I see the situation, under that proposal it would be very difficult sometimes to obtain such certification. I suggest an amendment which would establish by affidavit the necessary facts. I send the amendment to the desk.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The VICE PRESIDENT. The amendment offered by the Senator from New Jersey will be stated.

The CHIEF CLERK. On page 2, line 2, it is proposed to strike out the words following "Columbia," to strike out lines 3, 4, 5, 6, 7, and in line 8 to strike out "than 1 year next preceding" and insert in lieu thereof "shall contain, among other things, a statement under oath, setting forth his or her legal or voting residence for 1 year preceding the time of making such application and such application shall contain a list of references who can corroborate the establishment of residence by such applicant."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### COMPUTATION OF EXTRA COMPENSATION FOR NIGHT WORK PAID CERTAIN OFFICERS AND EMPLOYEES

The bill (H. R. 3383) to provide that extra compensation for night work paid officers and employees of the United States shall be computed on the basis of either standard or daylight saving time was considered, ordered to a third reading, read the third time, and passed.

#### AMENDMENT TO SECTION 50 OF THE ORGANIC ACT OF PUERTO RICO

The bill (H. R. 5207) to amend section 50 of the Organic Act of Puerto Rico, was considered, ordered to a third reading, read the third time, and passed.

#### BILL PASSED OVER

The bill (H. R. 4943) to amend the act providing for the admission of the State of Idaho into the Union by increasing the period for which leases may be made of public lands granted to the State by such act for educational purposes was announced as next in order.

Mr. AIKEN. Mr. President, on behalf of the senior Senator from North Dakota [Mr. LANGER] I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

#### MRS. EFFIE S. CAMPBELL

The Senate proceeded to consider the bill (S. 1801) for the relief of Mrs. Effie S. Campbell, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the words "sum of", to strike out "\$968.10" and insert "\$950.42", so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Effie S. Campbell, of Colorado Springs, Colo., the sum of \$950.42, in full settlement of all claims against the United States for compensation for personal injuries sustained, and reimbursement of expenses incurred, and property damages to her automobile as the result of a collision between her car and an Army Red Cross ambulance from Peterson Field at Colorado Springs, Colo., in the service of the United States, on October 17, 1943,

at the intersection of Tejon and Vermijo Streets in the city of Colorado Springs, Colo.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### EARL B. HOCHWALT

The Senate proceeded to consider the bill (S. 738) for the relief of Earl B. Hochwalt, which had been reported from the Committee on the Judiciary with an amendment on page 2, after line 4, to strike out:

SEC. 2. in the administration of the act entitled "An act to equalize certain disability benefits for Army officers", approved June 29, 1943 (57 Stat. 249), as amended, said Earl B. Hochwalt shall be deemed (a) to have incurred the physical disability for which he was retired from active service while serving in the temporary grade of lieutenant colonel, and (b) to have made timely application for receipt of the benefits provided by such act in full compliance with the provisions of section 7 thereof. No back retirement pay for any period prior to April 1, 1948, shall be deemed to have accrued by reason of the enactment of this section.

So as to make the bill read:

*Be it enacted, etc.,* That (a) Earl B. Hochwalt, lieutenant colonel, United States Army, retired, is hereby relieved of liability for repayment of such sums as may have been paid to him, through error of the Finance Department, United States Army, in excess of the retired pay which he was entitled by law to receive for the period July 1, 1943, through March 31, 1948, and have not been repaid by him.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Earl B. Hochwalt an amount equal to such sums as may have been repaid by him, or deducted from his retired pay, in partial or full settlement of such erroneously paid sums.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CONVEYANCE OF CERTAIN LANDS TO MILES CITY, MONT.

The Senate proceeded to consider the bill (H. R. 3589) to convey to the city of Miles City, State of Montana, certain lands in Custer County, Mont., for use as an industrial site.

Mr. HENDRICKSON. Mr. President, I send to the desk an amendment which I ask the clerk to read.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 1, line 6, it is proposed to insert, after the word "Montana," the words "50 per centum of the proposed fair market value, as determined by the Secretary, of the following tracts of public land in Custer County, Mont., to wit:"; to strike out,

in line 6, the words "upon payment of a", and to strike out out lines 7, 8, and 9.

The amendment was agreed to.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. ECTON. Mr. President, I do not know the purpose of the amendment. I suppose it does not hurt the bill very much.

Mr. HENDRICKSON. The purpose is to embody in the bill the standard provision which we have been placing in all legislation involving the conveyance of public lands.

Mr. ECTON. If it is satisfactory to the other Members of the Senate, it is satisfactory to me. The bill simply conveys to the city of Miles City, Mont., for an industry site, 425 acres of land for an amount determined by the Secretary of the Interior. Miles City can expand only to the east or to the west, due to its location between the river and the foothills. On the east there is a residential district, and there is a veterans' hospital to be constructed there. The city cannot expand to the east. So the only possible direction in which it can expand is to the west. The Department of Agriculture has had a block of land containing 57,000 acres, on the west, and an agreement has been reached that 425 acres can be taken off that block of 57,000 acres and sold to Miles City. It is only grazing land, Mr. President; no one will be injured.

Mr. MORSE. Mr. President, I do not think this is a bill in which the 50 percent of market value provision is at all applicable. I think it is a bill in which 100 percent should be received by the Federal Government. Therefore I object.

The VICE PRESIDENT. The bill will be passed over.

Mr. MORSE subsequently said: Mr. President, I ask unanimous consent to have House bill 3589, Calendar 883, an act to convey to the city of Miles City, State of Montana, certain lands in Custer County, Mont., for use as an industrial site, go to the foot of the calendar. A little while ago, the bill was passed over under a misunderstanding as to what Miles City proposes to pay for the property. Miles City, Mont., proposes to pay the full value for the property. Therefore, in fairness to the Senator from Montana, I think the bill should go to the foot of the calendar.

The VICE PRESIDENT. Without objection, the bill will go to the foot of the calendar.

The clerk will call the next measure on the calendar.

#### CHATTOOGA COUNTY, GA.

The bill (H. R. 807) for the relief of Chattooga County, Ga., was considered, ordered to a third reading, read the third time, and passed.

#### GEORGE M. VAUGHAN

The bill (S. 1737) for the relief of George M. Vaughan, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to

pay, out of any money in the Treasury not otherwise appropriated, to George M. Vaughan, of Plymouth, Mass., the sum of \$10,000, in full satisfaction of his claim against the United States for compensation for personal injuries and loss of earnings sustained by him, and for reimbursement of hospital, medical, and other expenses incurred by him, as a result of an accident which occurred when the motorcycle which he was riding was struck by a United States Army vehicle, at the intersection of Bradford Road and Sandwich Road, in Plymouth, Mass., on March 12, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

#### BILL PASSED OVER

The bill (H. R. 1689) to increase the rates of compensation of the heads and assistant heads of executive departments and independent agencies was announced as next in order.

Mr. HENDRICKSON. Mr. President, I feel that this bill is a type of bill which should be passed over.

The VICE PRESIDENT. The bill will be passed over.

#### LICENSE TAXES IN ALASKA

The bill (H. R. 225) to repeal section 460 of the act of March 3, 1899 (30 Stat. 1336), as amended, providing for certain license taxes in the Territory of Alaska was considered, ordered to a third reading, read the third time, and passed.

#### CONVEYANCE OF CERTAIN MINERAL RIGHTS IN CERTAIN LANDS IN OKLAHOMA

The bill (H. R. 2702) to authorize the Secretary of the Army to convey by quitclaim deed certain mineral rights in certain lands situated in the State of Oklahoma to Alfred A. Drummond and Addie G. Drummond, was considered, ordered to a third reading, read the third time, and passed.

#### ACADIA NATIONAL PARK, MAINE

The bill (H. R. 4026) relating to the exchange of certain private and Federal properties within the authorized boundaries of Acadia National Park, in the State of Maine, and for other purposes, was announced as next in order.

Mr. MORSE. Mr. President, I should like to have an explanation of the bill.

Mr. O'MAHONEY. Mr. President, this is a bill which involves only 5 acres of land now a part of the Acadia National Park, and adjacent to laboratory property.

The bill would authorize the acceptance by the Federal Government from Mr. John D. Rockefeller, Jr., of approximately 58 acres of land within the authorized boundaries of Acadia National Park, in the State of Maine. In exchange therefor the Secretary of the Interior would be authorized to convey to Mr. Rockefeller approximately 5 acres of land. It seemed to the committee that the exchange would inure to the benefit of the United States Government.

Mr. MORSE. Can the Senator from Wyoming assure the Senator from Oregon that the Federal Government would be getting more than it was giving in the exchange?

Mr. O'MAHONEY. Yes.

Mr. SALTONSTALL. Mr. President, the Jackson Memorial Laboratory, if my memory serves me correctly, is a cancer research center, and the whole purpose is eleemosynary.

Mr. O'MAHONEY. There is no question about that.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

#### ISSUANCE AND DELIVERY OF REVENUE BONDS UNDER LAWS OF HAWAII

The bill (H. R. 4688) to ratify and confirm Act 4 of the session laws of Hawaii, 1949, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945, was considered, ordered to a third reading, read the third time, and passed.

#### POSTAL RATES ON MAIL TO THE BLIND

The Senate proceeded to consider the bill (S. 1695) to permit the sending of braille writers to or from the blind at the same rates as provided for their transportation for repair purposes.

The VICE PRESIDENT. There is an identical bill in the Committee on Post Office and Civil Service, House bill 3637. Without objection, the committee will be discharged from the further consideration of the bill, and, without objection, the House bill will be substituted for the Senate bill and will now be considered.

There being no objection, the bill (H. R. 3637) to permit the sending of braille writers to or from the blind at the same rates as provided for their transportation for repair purposes was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 1695 is indefinitely postponed.

#### COMMISSION FOR STUDY OF OVERSEAS GOVERNMENTAL ACTIVITIES

The bill (S. 2072) to create a commission to make a study of the administration of overseas activities of the Government and make recommendations to Congress with respect thereto was announced as next in order.

Mr. LUCAS. Mr. President, I should like to have an explanation of the bill, because apparently the study of the activities of the Government would take in the entire world.

Mr. IVES. Mr. President, I could not hear what the Senator said.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. LUCAS. I reserve the right to object.

Mr. McCLELLAN. Mr. President, this bill carries out one of the recommendations of the Hoover Commission with respect to having a study made. The Commission felt that it was not equipped and did not have the time to make the

study as it should, and therefore recommended that the commission be created. The Senator from Maryland [Mr. O'Connor] was appointed chairman of the subcommittee to consider the bill. He is not present at the moment, and I should like to have the Senator from New York [Mr. Ives], who is also a member of the subcommittee, make an explanation.

Mr. IVES. Mr. President, as is quite generally known, the Government of the United States is represented on over 40 different international organizations of one kind or another. The amount of money we are spending for that purpose alone is in the neighborhood of about \$150,000,000.

On top of that, as we all know, we are spending billions of dollars in various foreign activities in the form of aid of one kind or another. For all these reasons, the Hoover Commission held it most advisable that a commission be established for the purpose of checking these matters, surveying them, ascertaining what the facts are, and then making an appropriate report.

The bill now under consideration calls for a commission of 12 members, 4 to be appointed by the President of the United States, 4 by the President of the Senate, and 4 by the Speaker of the House of Representatives. The Commission itself is to be a temporary commission, existing only until April 1, 1951.

The Committee on Expenditures in the Executive Departments, after going very carefully into this matter, not only from the standpoint of the committee as a whole, but particularly through the activities of one of the subcommittees of the committee which has been operating in the field of foreign activities of the Government, in various international agencies and organizations which are involved, decided that this proposal by the Hoover Commission possessed a great deal of merit and should be carried out, particularly in view of the fact that up to the present time the two Houses of Congress have seemed to be operating separately in this field, which is a rather expensive way of performing the duty, and at the same time is not likely to be conducive of the results which may be sought. For this reason the recommendations of the Hoover Commission have been followed, and the bill is before the Senate.

Mr. LUCAS. Mr. President, I should like to ask the Senator if there was any evidence before the committee as to the amount of time which would be taken in performing this task by the Commission, composed of four members appointed by the Senate and four by the House, and four representing the executive branch of the Government?

Mr. IVES. There is no evidence as to how much time would be taken, but the Senator from New York would point out that on page 3 of the bill there is a precaution which was inserted by the committee when the bill was reported to the effect that the Commission or any member thereof "may, when authorized by a majority of the Commission, for the purpose of carrying out the provisions of this act, hold such hearings, and sit, and act at such times and places, and take

such testimony as the Commission or such member may deem advisable."

Of course, under the terms of the bill the temporary Commission could carry on its activities and go anywhere it chose. We thought it advisable to have this precaution, that neither the whole Commission nor any subcommittee thereof would be permitted to act in any capacity of the nature indicated or in any other capacity without the authorization of a majority of the whole membership.

Therefore it would seem that the activities of the Commission should not in and of themselves require a great deal of work which would take the Commission or any of its members away from the city of Washington. They might possibly go to the city of New York, where the United Nations has its headquarters, but very likely not much beyond that.

On the other hand, the Senator from New York would like to point out that in view of the fact that the legislative branch of the Government is primarily the policy-making branch, it certainly should have as much to do with the determination of policies and activities where the Federal Government is concerned as does the executive branch. It seems to me most advisable that on any commission or organization of a temporary nature which may be created the Congress of the United States should be definitely represented. Therefore the Senator from New York feels very strongly that this particular proposal does possess a great amount of merit. The Senator from New York has been a member of the subcommittee working in the particular field where international organizations are concerned during the past 2 years, and realizes, I think, probably better than some others, the great need for a survey such as is contemplated by the bill.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. IVES. I yield to the Senator from Illinois.

Mr. LUCAS. Let us take as an example Berlin, or Frankfurt, where our Government has overseas activities; just what would the proposed Commission do?

Mr. IVES. The Senator from New York would doubt very much that the Commission would go overseas.

Mr. LUCAS. We have overseas activities in Berlin.

Mr. IVES. But the Commission would send members of the staff, or a subcommittee of the membership, possibly one person, for that purpose.

Mr. LUCAS. In other words, the Commission could go all over the world.

Mr. IVES. It would go all over the world, and it would be very inadvisable to establish such a commission and restrict its power. A commission like this might find itself folding up at a most critical time when it would need elasticity. The Senator from New York would assume the chairman and members of the Commission would have some common sense, so that they would not be indulging in some of the activities which the Senator from New York sup-

poses are in the mind of the distinguished Senator from Illinois.

Mr. LUCAS. I agree with the Senator from New York that that supposition is possibly correct, but from what I have seen since I have been a Member of the House and Senate of the activities of some committees of the Congress of the United States, that does not always hold true.

Mr. IVES. The Senator from New York does not believe the distinguished Senator from Illinois is referring to Senate committees.

Mr. LUCAS. In the past few years, I have known of some Senate committees of this kind, the members of which did not travel about for the purpose of finding exactly what kind of administration and overseas activities were carried on.

Mr. IVES. Mr. President, in answer to that statement, the Senator from New York would like to point out that this is not a congressional joint committee. It is a commission on which will be represented the Executive as well as the Congress.

The VICE PRESIDENT. The time of the Senator from New York on this bill has expired. Is there objection to the present consideration of the bill?

Mr. LUCAS. Mr. President, I shall not object to consideration of the bill, but I have grave doubt about the advisability of creating a commission of this kind.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2072) to create a commission to make a study of the administration of overseas activities of the Government, and to make recommendations to Congress with respect thereto, which had been reported from the Committee on Expenditures in the Executive Departments with an amendment, in section 6, on page 3, line 2, after the word "may", to insert "when authorized by a majority of the Commission," so as to make the bill read:

*Be it enacted, etc.,* That there is hereby created a commission to be known as the Commission on Overseas Administration (hereinafter called the "Commission"), which shall be composed of four Members of the Senate appointed by the President of the Senate, four Members of the House of Representatives appointed by the Speaker, and four persons in the executive branch of the Government appointed by the President. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. The members of the Commission shall serve without additional compensation by reason of such membership, but they shall be allowed and paid their necessary travel and subsistence expenses while away from their official station on the business of the Commission.

SEC. 2. The Commission shall elect a Chairman and a Vice Chairman from among its members.

SEC. 3. Seven members of the Commission shall constitute a quorum.

SEC. 4. It shall be the duty of the Commission to make a study of the administration of the overseas activities of the Federal Government, with a view to making recommendations to the Congress with respect to means

for coordinating and integrating such activities. The Commission shall complete its study and make a report of its findings and recommendations to Congress not later than March 1, 1951.

SEC. 5. The Commission is authorized, without regard to the civil-service laws or the Classification Act of 1923, as amended, to employ and fix the compensation of such personnel as it deems necessary to assist it in the performance of its functions. The Commission may also contract for services and employ part-time consultants on a per diem basis.

SEC. 6. (a) The Commission, or any member thereof, may, when authorized by a majority of the Commission, for the purpose of carrying out the provisions of this act, hold such hearings and sit and act at such times and places, and take such testimony, as the Commission or such member may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

SEC. 7. The Commission shall cease to exist on April 1, 1951.

SEC. 8. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FISH RESTORATION AND MANAGEMENT PROJECTS

The bill (H. R. 1746) to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, a careful study of this bill indicated that it could be improved by amendments so as to bring it more into conformity with the Pittman-Robertson Act of 1937. I shall send the amendments to the desk.

The VICE PRESIDENT. First, is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 1746) to provide that the United States shall aid the States in fish-restoration and management projects, and for other purposes.

Mr. HENDRICKSON. Mr. President, I offer certain amendments which are basically perfecting amendments.

The VICE PRESIDENT. Does the Senator wish to have the amendments considered en bloc?

Mr. HENDRICKSON. Yes, Mr. President; I ask that the amendments be considered en bloc.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendments will be stated.

The LEGISLATIVE CLERK. On page 3, line 16, after the word "purposes", it is proposed to strike out the semicolon and insert a comma and "and such preliminary or incidental costs and expenses as may be incurred in and about such works."

On page 3, line 25, after the numerals "1941", it is proposed to insert "as heretofore or hereafter extended and amended."

On page 5, line 6, after the word "manner", it is proposed to strike out the semicolon and insert a comma.

On page 6, line 8, after the word "purposes" and the period, it is proposed to strike out:

Any sum not allocated under the provisions of this section shall be made available for expenditure by the Secretary of the Interior in carrying out the provisions of the fisheries-research program of the Fish and Wildlife Service with the States.

And in lieu thereof to insert the following:

So much of any sum not allocated under the provisions of this section for any fiscal year is hereby authorized to be made available for expenditure to carry out the purposes of this act until the close of the succeeding fiscal year, and if unexpended or unobligated at the end of such year such sum is hereby authorized to be made available for expenditure by the Secretary of the Interior in carrying on the research program of the Fish and Wildlife Service in respect to fish of material value or sport recreation.

On page 7, line 2, after the word "Service", it is proposed to strike out the period and insert "and shall be paid by the State as a part of its contribution to the total cost of such works."

On page 8, line 19, after the word "Any", it is proposed to strike out "constructive" and insert "construction."

On page 10, line 8, after the word "the", it is proposed to strike out "purposes" and insert "provisions."

On page 11, line 3, after the word "and", it is proposed to insert "not exceeding."

Mr. JOHNSON of Colorado. Mr. President, the committee which considered the bill also considered the amendments which have just been offered, and we think the amendments will improve the bill. We are in favor of the amendments.

The VICE PRESIDENT. The question is on agreeing en bloc to the amendments offered by the Senator from New Jersey [Mr. HENDRICKSON].

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill (H. R. 1746) was read the third time and passed.

#### AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT

The bill (H. R. 160) to amend section 801 of the Federal Food, Drug, and Cosmetic Act, as amended, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I will have no objection to the bill if its sponsors will agree to the amendments which I now send to the desk.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 160) to amend section 801 of the Federal Food, Drug, and Cosmetic Act, as amended.

The VICE PRESIDENT. Does the Senator want the amendments considered en bloc or separately?

Mr. HENDRICKSON. Mr. President, I should prefer that they be considered en bloc.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The amendments offered by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. On page 2, line 10, after the word "damages" and before the word "in" it is proposed to insert the following: "for the amount of the full invoice value thereof together with the duty thereon (including any tax required by law to be treated as duty as determined at time of entry of such article)."

On page 2, line 11, it is proposed to strike out the period and to insert in lieu thereof a colon and add the following: "Provided, That nothing in this act shall be construed to affect the authority conferred upon the Secretary of the Treasury by section 623 (c), Tariff Act of 1930, as amended, or construed to affect his authority to take a consolidated bond pursuant to section 623 (b) (4), Tariff Act of 1930, as amended: *Provided further*, That where such owner or consignee has previously executed and subsequently been required to forfeit the bond, or any part thereof, required by this section, the Secretary of the Treasury is hereby authorized to require such owner or consignee to execute a bond in excess of the amount of the full invoice value thereof together with the duty thereon (including any tax required by law to be treated as duty as determined at time of entry of such article)."

On page 2, line 11, after the period following the word "Treasury," it is proposed to strike out the word "If"; and in line 12, page 2, it is proposed to strike out the words "it appears to the Administra-

tor" and insert in lieu thereof as follows: "When the Administrator, or his duly authorized representative, finds there is a reasonable ground to believe."

On page 2, line 17, it is proposed to strike out the words "and, upon filing" and to strike out line 18, and insert in lieu thereof the following: "and the Administrator, or his duly authorized representative, shall give a prompt written notice of his finding that such article can be brought into compliance with the act or otherwise rendered admissible to such owner or consignee and a copy thereof shall be sent to the collector of customs or appropriate customs officer, and upon filing a written application within 60 days after the receipt of such notice by such owner or consignee."

Mr. JOHNSON of Colorado. Mr. President, the committee which reported the bill, has carefully considered the proposed amendments, and finds nothing objectionable in them.

The VICE PRESIDENT. The question is on agreeing to the amendments offered by the Senator from New Jersey [Mr. HENDRICKSON] en bloc.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 160) was read the third time and passed.

#### AMENDMENT OF FAIR LABOR STANDARDS ACT OF 1938—BILL PASSED OVER

The bill (H. R. 5856) to provide for the amendment of the Fair Labor Standards Act of 1938, and for other purposes, was announced as next in order.

The VICE PRESIDENT. The bill relates to the present unfinished business. Is there objection to the present consideration of the bill?

Mr. MCKELLAR. Mr. President, I ask that the bill be passed over.

The VICE PRESIDENT. The bill will be passed over.

Mr. MCKELLAR. I offer an amendment to the bill which I ask to have printed and lie on the table.

The VICE PRESIDENT. The amendment will be printed and will lie on the table.

#### COMPARISON OF PROVISIONS OF FAIR LABOR STANDARDS ACT OF 1938 AND S. 653 AND H. R. 5856

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent to have printed in the RECORD, at this point, a comparison of the principal provisions in the present wage-and-hour law, Senate bill 653, as reported by the Labor Committee, and House bill 5856 which recently passed the House.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

Comparison, S. 653 and H. R. 5856—Major changes which these measures would make in the Fair Labor Standards Act of 1938

	Under FLSA now	Under S. 653 (as reported by Senate Labor Committee)	Under H. R. 5856 (as passed by the House, Aug. 11, 1949)
Coverage.....	Wage and hour provisions apply to employees engaged in commerce or in the production of goods for commerce, including any process or occupation necessary to such production, unless specifically exempt.	Would retain coverage of present act....	Would continue application of wage and hour provisions to employees engaged in commerce or in the production of goods for commerce, but redefines "produced" to include, in addition to employees actually producing goods, only those employees "closely related" and "indispensable" to production.

Comparison, S. 653 and H. R. 5856—Major changes which these measures would make in the Fair Labor Standards Act of 1938—Continued

	Under FLSA now	Under S. 653 (as reported by Senate Labor Committee)	Under H. R. 5856 (as passed by the House, Aug. 11, 1949)
Minimum wage.....	40 cents an hour, with authority to set lower rates by wage order for employees in industries in Puerto Rico and Virgin Islands, pursuant to recommendation of special industry committees.	75 cents an hour, with provisions of present act continued for setting rates lower than 75 cents in Puerto Rico and Virgin Islands.	75 cents an hour, with new provisions for setting lower rates in Puerto Rico and Virgin Islands.
Hours worked.....	Except for Portal-to-Portal Act provisions for preliminary and postliminary activities, no provision is made with respect to "hours worked."	No change.....	Provides a definition of "hours worked" under which actual hours of work will not be counted as such under the act if parties to a collective bargaining agreement choose to exclude them from measured working time. The provisions of this section have a direct relation to the maintenance of minimum wage and overtime standards of the act.
Overtime pay.....	Time and one-half "regular rate" for all hours worked in excess of 40 in a workweek, subject to the specific exemptions. Term "regular rate" not expressly defined, except that certain premium payments may be excluded from regular rate and credited as overtime pay as provided by new sec. 7 (e) (Public Law 177, 81st Cong., 1st sess.).	do.....	Time and one-half "regular rate" for hours worked in excess of 40 in a workweek, but subject to: (1) Provisions permitting payment of time and one-half based on hourly or piece rate applicable during overtime hours; (2) a provision permitting payment for hours over 40 to employees working irregular hours under an individual or collective bargaining contract guaranteeing weekly pay for any number of hours not exceeding 60, at time and one-half the regular rate specified in the contract, and the specified rate may be as low as the minimum established by the act (this would permit use of contracts not now valid under Belo decision); (3) a definition of "regular rate" excluding a number of types of payments therefrom. This provision neither defines nor provides for regulations defining "latent fees" and "profit sharing" payments which would be excluded from "regular rate."
Child-labor provisions...	Prohibited: Shipment or delivery for shipment in commerce of goods produced in an establishment in or about which within 30 days prior to removal thereof any "oppressive child labor" was employed. No direct or indirect restrictions on employment of child labor where interstate commerce is carried on but no goods are produced. Exempt: (1) Children employed in agriculture while not legally required to attend school. (2) Child actors in motion picture and theatrical productions. (3) Children under 16 employed by their parents in nonmining and nonmanufacturing occupations (even though hazardous so that child could not be so employed if 16 or 17 years of age). Wage and hour provisions of act do not apply to ordinary local retail store, small farm-equipment dealer, barber or beauty shop, restaurant, home laundry, tavern, shoe-repair shop, etc., if more than 50 percent of their selling or servicing is intrastate. Retail outlets of interstate chain enterprises and large department stores, hotels, etc., may claim same exemption as typical local retailer of goods or services. Establishments doing a substantial amount (more than 25 percent) of business other than retail selling or servicing are not exempt as retail or service establishments. However, retail selling or servicing is interpreted to include not only transactions with individuals for personal or family consumption, but also many similar transactions with business and commercial customers and with farmers.	Directly prohibits employment of oppressive child labor in commerce or in production of goods for commerce. (1) Exempts child labor in agriculture "outside of school hours" for the district. (2) Broadened to include "performers" and extended to radio and television productions. (3) Loophole closed by allowing no exemption for employment in hazardous occupations.	Changes present act by adding a "good faith" defense for "innocent purchaser" of "hot goods." Same as S. 653, although "production" coverage would be reduced by narrowed definition of "produced." (1) Same as present act. (2) Same as S. 653. (3) Substantially same as S. 653.
Retail or service establishments.		No change.....	Would establish new tests for exemption by: (1) Applying 50-percent test on basis of sales of goods or services "made within the State" instead of the amount of selling or servicing that is "intrastate" in character; (2) substitutes for the present legally established concept of retail a variable concept dependent upon a determination to be made for each industry of what "is recognized as retail sales or services in the particular industry." 75 percent of the sales of goods or services must not be for resale, and "resale" is defined to include all sales of goods used in residential or farm building construction, repair, or maintenance, with this definition to apply to establishments which make both nonretail and retail sales. Would add a new exemption for establishments laundering, cleaning, or repairing clothing or fabrics for business or commercial customers other than manufacturing, mining, transportation or communication businesses. Would add a new exemption for employees employed by "retail" establishments engaged in manufacturing or processing the goods they sell.
Agricultural employees..	Agriculture employees are exempt from wage and hours provisions on year-round basis.	do.....	No change.
Fishery employees.....	Fishery employees are exempt from wage and hours provisions on year-round basis.	do.....	Do.
Handlers and processors of agricultural products.	"Area of production" and other types of complete minimum wage and/or overtime pay exemptions, or partial overtime pay exemptions, apply to employees of handlers and processors of farm products.	Removes minimum wage exemption and retains only the year-round overtime pay exemption for employees now completely exempt as handlers or processors of farm products in the "area of production." Adds complete overtime exemption for first processing of buttermilk into dairy products.	Same as present except that Secretary of Agriculture, instead of Administrator, is to define "area of production."
Handlers and processors of fisheries products.	Complete minimum wage and overtime pay exemptions apply to employees of fisheries products handlers and processors.	No change.....	Adds complete overtime pay exemption for first processing of buttermilk into dairy products.
Transportation employees.	The following transportation employees are exempt from both the minimum wage and overtime pay provisions: (1) Seamen..... (2) Employees of air carriers.....  The following transportation employees are covered by the minimum wage provisions but are exempt from the overtime pay provisions: (1) Employees of railroads, express companies, refrigerator-car companies, sleeping-car companies, and pipe lines. (2) Drivers, drivers' helpers, loaders, and mechanics of motor carriers engaged in safety-affecting work.	(1) No change..... (2) No change.....  (1) No change..... (2) No change.....	(1) No change. (2) Deletes minimum wage exemption while retaining overtime pay exemption for employees of air carriers.  (1) No change. (2) No change.

Comparison, S. 653 and H. R. 5856—Major changes which these measures would make in the Fair Labor Standards Act of 1938—Continued

	Under FLSA now	Under S. 653 (as reported by Senate Labor Committee)	Under H. R. 5856 (as passed by the House, Aug. 11, 1949)
Other exemptions.....	The following employees are exempt from both the minimum wage and overtime pay provisions: (1) Employees employed in bona fide "executive," "administrative," "professional," "local retailing," and "outside salesman" capacities. (2) Switchboard operators in telephone exchanges with less than 500 stations. (3) Employees of local street railways and of local trolley and bus lines. (4) Employees of local weekly and semi-weekly newspapers having circulation of not more than 3,000 mostly in the county in which printed and published.	(1) No change..... (2) No change..... (3) No change..... (4) No change.....  New exemption is provided from both minimum wage and overtime pay provisions for employee or proprietor in otherwise exempt retail establishment where he is engaged in handling telegraph messages for the public under an agency contract from which the revenue does not exceed \$500 a month.	(1) No change. (2) No change. (3) No change. (4) Would extend exemption to employees of local newspapers by increasing circulation limit from 3,000 to 5,000, by including daily newspapers in exemption provisions, and by permitting circulation to extend into contiguous counties. Same as S. 653.  The following new exemptions from both the minimum wage and overtime pay provisions would be added: (1) Employees in forestry and sawmill operations of employers having no more than 12 employees. (2) Irrigation employees of systems not owned or operated for profit, where water is used exclusively for agricultural purposes. (3) "Any home worker in a rural area who is not subject to any supervision or control by any person whomsoever," who buys raw material, makes and completes articles, and sells to anybody, although article is made according to "specifications and the requirements of some single purchaser." (4) Employees of taxicab companies.
Guaranteed annual employment plans.	Overtime pay requirements are relaxed when labor and management adopt guaranteed annual employment plans under specific provisions of the act.	No change.....	Would liberalize present requirements, thus aid generally in attaining original objectives of the act to encourage labor-management contracts for employment on an annual basis.
Administration.....	Administrator has responsibility for wage and hours provisions, inspections, and records provisions. Secretary of Labor is responsible for child-labor provisions. Act does not provide authority for enforcing payment of back wages found due to employees, other than through injunction and through provision under which employees themselves may bring suit, subject to 2-year statute of limitation established by Portal-to-Portal Act of 1947.	No change.....  Authorizes Administrator to supervise payment of back wages and provides that employee's acceptance constitutes waiver of right to sue, under sec. 16 (b).  Also authorizes Administrator to sue directly on behalf of employees, with consent of employee to such suit constituting a waiver of his rights under sec. 16 (b).	Places responsibility for child-labor provisions in Administrator, instead of Secretary of Labor.  Same as S. 653.  Does not authorize Administrator to bring suit for back wages in behalf of employees.

#### BILLS PASSED OVER

The VICE PRESIDENT. The next bill on the calendar will be stated.

The bill (S. 2246) to amend the National Housing Act, as amended, and for other purposes, was announced as next in order.

Mr. TAFT. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 5327) to continue until the close of June 30, 1950, the suspension of duties and import taxes on metal scrap, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Over.

The VICE PRESIDENT. The bill will be passed over.

#### HOUSE CONCURRENT RESOLUTION PASSED OVER

The concurrent resolution (H. Con. Res. 62) creating a Joint Committee on Lobbying Activities, was announced as next in order.

SEVERAL SENATORS. Over.

The VICE PRESIDENT. The concurrent resolution will be passed over.

#### TRANSFER OF LAND TO COUNTY OF BERNALILLO, N. MEX., FOR HOSPITAL SITE

The bill (S. 2286) authorizing transfer of land to the county of Bernalillo, State

of New Mexico, for a hospital site, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I should like to have an explanation of the bill.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the Senate consider House bill 5970, which is identical in language with Senate bill 2286. The Senate bill, however, contains a committee amendment.

The VICE PRESIDENT. Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5670) authorizing transfer of land to the county of Bernalillo, State of New Mexico, for a hospital site.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. ANDERSON. This bill involves the transfer for hospital purposes of a small portion of land located close to the Indian hospital in the county of Bernalillo. It is proposed that a hospital be constructed jointly by the county of Bernalillo and the Indian Service on the land, and that there be made available on the land a 100-bed hospital for the

Indians. I believe these are amendments which the distinguished Senator from New Jersey will offer which will adequately protect the United States in this matter of transfer of land.

First of all, I ask that the amendment of the Senate committee appearing in Senate bill 2286 be acted upon as an amendment to the House bill, and added to the House bill. I make that request so that the House bill will conform to the Senate bill, as reported from the Committee on Interior and Insular Affairs with the amendment.

The VICE PRESIDENT. The amendment to Senate bill 2286, which the Senator from New Mexico asks to have added to the House bill now under consideration, will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert a proviso as follows:

That if the county of Bernalillo and the Commissioner of Indian Affairs shall enter into a contract or contracts whereby facilities for the treatment of Indians are to be made available at a hospital constructed upon land transferred to the county of Bernalillo under the terms of this act, the Secretary of the Interior may make such transfer without reimbursement to the Treasury of the United States.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HENDRICKSON. Mr. President, I send to the desk the amendments to which the Senator from New Mexico has referred.

The VICE PRESIDENT. The amendments will be stated.

The LEGISLATIVE CLERK. In line 6, after the name "New Mexico", it is proposed to insert "upon payment by said county of one-half of the appraised fair market value thereof, as determined by the Secretary"; in line 12, after the name "New Mexico", it is proposed to insert a colon and the following proviso: "Provided, That if the county of Bernalillo and the Commissioner of Indian Affairs shall enter into a contract or contracts whereby facilities for the treatment of Indians are to be made available at a hospital constructed upon land transferred to the county of Bernalillo under the terms of this act, of a value equal to or in excess of one-half of the appraised fair market value of the property so transferred, the Secretary of the Interior may make such transfer without reimbursement to the Treasury of the United States."

The VICE PRESIDENT. The question is on agreeing to the amendments offered by the Senator from New Mexico.

The amendments were agreed to.

Mr. ANDERSON. Mr. President, I want to keep faith with my distinguished friend from New Jersey. I did not hear his statement respecting the amendments he proposed to offer. Were those amendments presented and were they adopted?

The VICE PRESIDENT. The amendment to the Senate bill was added to the House bill, and agreed to.

Mr. HENDRICKSON. Yes; they were agreed to, Mr. President.

Mr. MORSE. Mr. President, I should like to ask the Senator from New Mexico a question. I should like to have him explain to the Senate what the Federal Government is getting out of this transfer?

Mr. ANDERSON. Without building the necessary operating rooms, it is getting 100 beds for Indian patients. That, however, is covered in subsequent legislation. Under the amendments offered by the Senator from New Jersey and agreed to, unless the Secretary of the Interior enters into a contract for the construction of such hospital, the transfer of land will not take place. Unless it is a cooperative hospital adjoining the present tuberculosis hospital operated by the Indian Service, there will be no transfer of land to the county. It was necessary to transfer the land to the county in order to get construction under way. If the contract is entered into, and if the plans go through, then the transfer of land will take place, but it will not take place otherwise.

Mr. MORSE. Who is building the hospital?

Mr. ANDERSON. The county of Bernalillo.

Mr. MORSE. With county funds?

Mr. ANDERSON. Partly with county funds, partly with Hill-Burton funds,

and partly with Federal funds. There is to be an agreement entered into providing that 100 of the 200 beds shall always be available for Indians.

Mr. MORSE. Can the Senator tell us how much this land is worth? What is its value?

Mr. ANDERSON. I do not wish to get in wrong with the chamber of commerce in my home community. At the time the land was transferred to the Federal Government, I think it was appraised in the neighborhood of from \$5 to \$10 an acre. Since then the town has built up around it. I suppose it is now worth \$1,000 or \$2,000 an acre, or more, depending upon the attitude of the chamber of commerce. Four or five acres would be required for construction.

Mr. MORSE. Can the Senator from New Mexico give the Senator from Oregon reasonable assurance that the Federal Government will get out of this transaction service from the county which will represent at least 50 percent of the fair market value of the land?

Mr. ANDERSON. I so assure the Senator.

The VICE PRESIDENT. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### REIMBURSEMENT OF CERTAIN TREASURY DEPARTMENT AGENCIES

The bill (S. 2018) to authorize advancements to and the reimbursement of certain agencies of the Treasury Department for services performed for other Government agencies, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That (a) when any service authorized by law and directed by the Secretary of the Treasury is performed or to be performed by the Division of Disbursement, the Office of the Treasurer of the United States, or the Bureau of Engraving and Printing of the Department of the Treasury for any other Government agency, and no funds have been appropriated to such Division, Office, or Bureau for the performance of such service, the Government agency for which such service is performed or to be performed is authorized to advance for credit or pay to such Division, Office, or Bureau such sums as may be necessary to cover the expenses incident to the rendition of such service.

(b) Notwithstanding the provisions of section 3617 of the Revised Statutes (31 U. S. C. 484), any sums transferred pursuant to subsection (a), and any sums received by such Division, Office, or Bureau for service performed or to be performed for the Government of any possession of the United States or any foreign government pursuant to law and by direction of the Secretary of the Treasury, may be credited to the appropriations of such Division, Office, or Bureau current at the time of the performance of such service.

(c) As used in this section—

(1) the term "Government agency" shall include (A) any bureau or agency of the Department of the Treasury not named in subsection (a), (B) any department, office, agency, or establishment of the Government other

than the Department of the Treasury, and (C) any wholly owned or mixed-ownership Government corporation; and

(2) the term "service" shall include, but shall not be limited to, service rendered in (A) the collection and disbursement of funds, (B) the servicing of bonds, (C) the rendition of accounts, (D) the keeping of bank and checking accounts, and (E) the design, engraving, and printing of currency, bonds, notes, certificates, checks, stamps, and like forms of engraved documents.

SEC. 2. The proviso contained in the third paragraph under the caption "Engraving and Printing" of section 1 of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1837, and for other purposes," approved August 4, 1836 (24 Stat. 227; 31 U. S. C. 176), relating to the disposition of receipts for miscellaneous work authorized by law to be performed by the Bureau of Engraving and Printing, is hereby repealed.

#### USE FOR PUBLIC PURPOSES OF CERTAIN LAND IN HOT SPRINGS, N. MEX.

The bill (S. 2275) permitting the use for public purposes of certain land in Hot Springs, N. Mex., was announced as next in order.

Mr. ANDERSON. Mr. President, I ask unanimous consent to substitute that Calendar 931, House bill 5620, be substituted for the Senate bill and that the House bill be presently considered.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 5620) permitting the use, for public purposes, of certain land in Hot Springs, N. Mex.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. ANDERSON. Mr. President, in reply to the Senator from Oregon I will say that in 1923, or thereabouts, the United States Government transferred to the State of New Mexico certain land within the town of Hot Springs for use as a municipal bathing pool, in connection with the hot springs. Subsequently hotels and tourist courts have been built in a rather narrow valley, and all those hotels and tourist courts maintain their own hot baths. The result is that the municipal bathhouse has been allowed to deteriorate to some degree. It is not used, and is unsightly and insanitary. The municipality desires to make use of the land for a municipal building, since the valley is rather narrow. The State of New Mexico is the owner of the property. This bill merely allows the State of New Mexico to permit the municipality to use it for a city building, instead of a city bathhouse, which is not required.

Mr. MORSE. Is the Federal Government interested only in the original reservation?

Mr. ANDERSON. That is correct; only in the original reservation.

The VICE PRESIDENT. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 2275 is indefinitely postponed.

**DEVELOPMENT OF FISH, WILDLIFE, AND RECREATIONAL ASPECTS OF THE COLORADO-BIG THOMPSON PROJECT**

The bill (H. R. 5134) to promote development in cooperation with the State of Colorado of the fish, wildlife, and recreational aspects of the Colorado-Big Thompson Federal reclamation project was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I have agreed with the sponsors of the bill to accept the amendments which I now send to the desk.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The VICE PRESIDENT. The amendment offered by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. It is proposed to insert on page 5 a new section 6, as follows, immediately following section 5, after line 16, renumbering sections 6, 7, 8, and 9, accordingly:

Sec. 6. Nothing herein shall be construed as repealing or otherwise altering the laws governing the administration of the national forests as far as they affect the lands withdrawn in connection with the project, nor as abrogating the authority of the Secretary of Agriculture with respect to the administration of such lands: *Provided*, That with the concurrence of the Secretary of Agriculture and subject to such reasonable conditions as he may deem necessary in the protection and management of the national forests, national forest lands within the reservoir area but not actually used and needed for protection or operation of any reservoir or reclamation works, may be developed hereunder.

Mr. O'MAHONEY. Mr. President, the amendment which is proposed is a restatement, in effect, of what the committee said in its report with respect to the National forest lands. There is no objection to the amendment. Indeed, I hope it may be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

**CONVEYANCE TO FRANCISCAN FATHERS OF CERTAIN LAND IN MONTEREY COUNTY, CALIF.**

The Senate proceeded to consider the bill (S. 1660) providing for the conveyance to the Franciscan Fathers of California of approximately 40 acres of land located on the Hunter-Liggett Military Reservation, Monterey County, Calif., which had been reported from the Committee on Armed Services with amendments, on page 1, line 6, after the word "the" to strike out "following described"; on page 2, line 1, after the word "less," to insert "described substantially as follows"; in line 17, after the word "and" to strike out "22" and insert "30," and on page 3, line 5, after the word "beginning"

to insert "excepting therefrom the 33.19-acre tract commonly known as the Mission San Antonio now owned by the Franciscan Fathers and as described in the patent from the United States of America to Joseph S. Alemany, Bishop of Monterey, dated May 1, 1862, and recorded June 29, 1874, in volume A of patents, Monterey County Records, at page 416", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Army is authorized and directed to convey by quitclaim deed, to the Franciscan Fathers of California, a body corporate, subject to the conditions provided for in section 2 of this act, the tract of land lying within the Hunter-Liggett Military Reservation, in the county of Monterey, State of California, containing forty acres more or less, described substantially as follows:

Beginning at station 16 of the Mission San Antonio de Padua Grant recorded in book A of patents on pages 416 and the following, in the office of the county recorder, Monterey County, California; thence north thirty-seven degrees thirty minutes west six hundred feet, more or less, to the center line of the bed of the Mission Creek; thence following the center line of the bed of said creek in a generally southwesterly direction approximately three thousand and two hundred feet to the point where the center line of the bed of said creek intersects with the north side of the bridge over said creek; thence south fifty-seven degrees no minutes east seven hundred and ten feet, more or less, to station 6 of the above referred to patent; thence along the old boundaries fifty-seven degrees no minutes east three hundred and thirty feet to station numbered 7 of said patent; thence north seventy-seven degrees forty minutes east approximately eight hundred and seventy-five feet to station 9 of said patent; thence along old boundaries north forty-nine degrees fifteen minutes east eighty-nine and one-tenth feet to station 10 of said patent; thence continuing said course six hundred and forty-five feet, more or less, to a point designated as station 10A; thence north nineteen degrees thirty-four minutes west one thousand four hundred and seventy feet, more or less, to station 15 of said patent; thence continuing along same course along the old boundaries nineteen degrees thirty-four minutes west a distance of five hundred eighty and five-tenths feet to station 16 of said patent, the true point of beginning, excepting therefrom the thirty-three and nineteen one-hundredths acre tract commonly known as the Mission San Antonio now owned by the Franciscan Fathers and as described in the patent from the United States of America to Joseph S. Alemany, Bishop of Monterey, dated May 1, 1862, and recorded June 29, 1874, in volume A of patents, Monterey County Records, at page 416.

Sec. 2. The tract of land authorized to be transferred by the first section of this act shall be conveyed for a consideration to be determined by the Secretary of the Army, which shall be not less than the fair market value of such land; and the deed of conveyance shall (1) except and reserve to the United States a permanent easement for the existing water main which traverses such land and the right to keep, maintain, and enlarge the same for the convenience of the United States; and (2) contain such additional terms, reservations, exceptions, and conditions as may be determined by the Secretary of the Army to be necessary to safeguard the interests of the United States, and any leasehold interests in such land.

The amendments were agreed to.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. KNOWLAND. Mr. President, this is a bill unanimously reported from the

Committee on Armed Services. The purpose of the bill is to convey to the Franciscan Fathers of California a tract of approximately 40 acres of land located on the Hunter-Liggett Military Reservation, Monterey County, Calif. This conveyance is to be made for a consideration which shall not be less than the fair market value of the land. Adequate provision is made in section 2 of the bill for such easements and other exceptions as the Secretary of the Army may determine to be necessary to safeguard the interests of the United States.

I may say that the missions of California have long had great historic interest. Many of them have been rebuilt and reconditioned. This was the old Mission San Antonio, most of the location of which is on the land of the Franciscan Fathers; but in excavating it was found that some of the original mission buildings extended into this 40-acre area. The bill provides that the fair market value shall be paid for the land. It has the approval of the National Defense Establishment.

Mr. MORSE. I wish to commend the Senators from California, as well as the Franciscan Fathers, for giving the Federal Government full value for Federal property.

Mr. HENDRICKSON. Mr. President, I offer a very simple amendment.

The VICE PRESIDENT. The amendment offered by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. On page 3, line 16, after the word "the" and before the word "fair" it is proposed to insert the word "appraised."

Mr. KNOWLAND. Mr. President, I have no objection.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

**GUIDED MISSILE RESEARCH LABORATORY, BUREAU OF STANDARDS—BILL PASSED TO FOOT OF THE CALENDAR**

The bill (S. 2316) to authorize the construction and equipment of a guided-missile research laboratory building for the National Bureau of Standards, Department of Commerce, was announced as next in order.

Mr. SALTONSTALL. Mr. President, I should like to ask the distinguished Senator from Colorado a question. Will funds for the construction of this building ultimately come from the appropriations of the Department of Commerce, or from military funds? I ask that question, because, of course, there are priorities on the military side.

Mr. JOHNSON of Colorado. I presume they will come from Department of Commerce funds and that the Appropriations Committee will provide an item in the Commerce Department appropriation bill for funds for building this laboratory. I do not see how it could do otherwise.

Mr. SALTONSTALL. This is purely a military project, is it not?

Mr. JOHNSON of Colorado. It is a military project. However, practically

all the work done by the Bureau of Standards is done for some other department of Government. This happens to be one of the things in which the military will be interested. There is no reason why a change should be made in the funds which are appropriated. I am sure that the funds will come through the Department of Commerce, as they should.

Mr. CORDON. Mr. President, will the Senator yield for a further question?

Mr. JOHNSON of Colorado. I yield.

Mr. CORDON. I note that the bill itself provides for a limit of cost of \$1,900,000. As I read the language, that limitation goes only to the construction of the facilities, and does not include the cost of the site, which I can readily see might run into a figure as great as or greater than the cost of the construction itself. Has the Senator any information on that subject?

Mr. JOHNSON of Colorado. It is difficult to believe that the site would cost any such sum. However, that item had to be left open, because it has not been determined up to the present time whether this particular laboratory should be built in Washington or in some other place in the United States. Since we do not know where it is to be located, it is difficult to tell what the cost will be. I have an idea, however, that the cost of the site will be very small.

Mr. CORDON. Am I to understand from the Senator that at least at the moment it is not contemplated that it will be auxiliary in its location to the site now occupied by the Bureau of Standards?

Mr. JOHNSON of Colorado. It might not be located there—for security reasons. That is why we do not know where it will be located.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. TAFT. I do not quite understand. Section 1 of the bill provides for a guided-missile laboratory, under a cost limit of \$1,900,000. Section 2 seems to be a perfectly general provision of authority for the Secretary of Commerce to acquire any land, anywhere, if necessary for the construction of buildings to house the Bureau of Standards. That provision seems to have no relationship to the guided-missile laboratory. It seems to me to authorize the Secretary of Commerce to buy land anywhere for any buildings he may wish to have constructed for the Bureau of Standards. Is that not a somewhat unusual authority to be given?

Mr. JOHNSON. We do not wish that authority to be included in the bill. It is not necessary to have that kind of wide-open authority. The authority for the acquisition of land should pertain strictly to a site for this laboratory.

Mr. TAFT. I wonder whether the Senator will let the bill go to the foot of the calendar.

Mr. JOHNSON of Colorado. Yes; I shall be glad to agree to have that done.

The VICE PRESIDENT. The bill will go to the foot of the calendar.

Mr. HENDRICKSON. Mr. President, I send to the desk an amendment to the bill.

The VICE PRESIDENT. The amendment will be printed and lie on the table. The clerk will call the next measure on the calendar.

#### BILL PASSED OVER

The bill (S. 2360) to amend the Federal Airport Act so as to authorize appropriations for projects in the Virgin Islands was announced as next in order.

Mr. HENDRICKSON. Mr. President, on behalf of the distinguished Senator from Kansas [Mr. SCHOEPP] I object.

The VICE PRESIDENT. Objection being heard, the bill will be passed over.

#### MINOR PROJECTS AT MAJOR AIRPORTS

The Senate proceeded to consider the bill (S. 1282) to authorize grants under the Federal Airport Act for minor projects at major airports, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, to strike out all after the enacting clause, and insert:

That section 8 of the Federal Airport Act is amended to read as follows:

"Sec. 8. At least 2 months prior to the close of each fiscal year, the Administrator shall submit to the Congress a request for authority to make grants, during the two fiscal years immediately following the fiscal year in which such request is submitted to the Congress, for those of the projects for the development of class 4 and larger airports included in the current revision of the national airport plan which, in his opinion, should be undertaken during that period, and for which grants have not previously been authorized as provided herein, together with an estimate of the Federal funds required to pay the United States share of the allowable project costs of such development: *Provided*, That a grant or grants of funds for the development of any class 4 or larger airports, in a total amount not in excess of \$50,000 during any fiscal year, may be made without prior submission of a request for and grant of authority pursuant to this section. In determining what development to include in such a request, the Administrator shall consider, among other things, the relative aeronautical need for and urgency of all such development included in the plan and the likelihood of securing satisfactory sponsorship of projects for the accomplishment of such airport development. Any subsequent appropriation of funds pursuant to section 5 of this act shall be deemed to grant the authority requested, unless a contrary intent shall have been manifested by the Congress by law or by concurrent resolution. No grant of funds in excess of \$50,000 in any one fiscal year for development of any class 4 or larger airport shall be made unless authorized as provided herein."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize grants under the Federal Airport Act for minor projects at major airports, and for other purposes."

#### MABEL H. SLOCUM

The bill (H. R. 1132) for the relief of Mabel H. Slocum was considered, ordered to a third reading, read the third time, and passed.

#### CONRAD L. WIRTH

The bill (H. R. 1446) for the relief of Conrad L. Wirth was considered, ordered to a third reading, read the third time, and passed.

#### JACK McCOLLUM

The bill (H. R. 2091) for the relief of Jack McCollum was considered, ordered to a third reading, read the third time, and passed.

#### WALT W. ROSTOW

The bill (H. R. 2471) for the relief of Walt W. Rostow was considered, ordered to a third reading, read the third time, and passed.

#### GRACE L. ELSER

The bill (H. R. 2594) for the relief of Grace L. Elser was considered, ordered to a third reading, read the third time, and passed.

#### MRS. JOSEPHINE WAGNON WALKER

The bill (H. R. 3665) for the relief of Mrs. Josephine Wagon Walker was considered, ordered to a third reading, read the third time, and passed.

#### FRANCESCA LUCARENI, A MINOR

The bill (H. R. 5155) for the relief of Francesca Lucareni, a minor, was considered, ordered to a third reading, read the third time, and passed.

#### BILL PASSED OVER

The bill (S. 73) for the relief of Samuel M. Inman, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. GEORGE. Mr. President, it will be necessary to amend the bill. I do not wish to offer the amendment in the absence of the chairman of the Judiciary Committee. Therefore, I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The clerk will state the next measure on the calendar.

#### C. J. HARTMAN

The Senate proceeded to consider the bill (S. 481) for the relief of C. J. Hartman, which has been reported from the Committee on the Judiciary with an amendment on page 1, line 3, after the word "Treasury", to strike out "is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. J. Hartman, Clearwater, Fla., the sum of \$10,000 in full satisfaction of his claim against the United States for compensation for personal injuries sustained by his minor son, Clarence Herbert Hartman, as a result of an accident which occurred near Pinellas Airfield, St. Petersburg, Fla., on June 7, 1943, when a rope suspended from an Army aircraft encircled the neck of said Clarence Herbert Hartman and threw him against the eaves of a nearby building" and insert: "be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the legal guardian of Clarence Herbert Hartman, a minor, of Clearwater, Fla., in full settlement of all claims against the United States for compensation for personal injuries sustained by the said minor on June 7, 1943, near Pinellas Army Airfield, St. Petersburg, Fla., when a rope suspended from an Army airplane struck him on the neck

and threw him to the ground", so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the legal guardian of Clarence Herbert Hartman, a minor, of Clearwater, Florida, in full settlement of all claims against the United States for compensation for personal injuries sustained by the said minor on June 7, 1943, near Pinellas Army Air Field, St. Petersburg, Fla., when a rope suspended from an Army airplane struck him on the neck and threw him to the ground: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of Clarence Herbert Hartman, a minor."

SAUL PHILLIPS

The Senate proceeded to consider the bill (S. 1048) for the relief of Saul Phillips, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the words "sum of", to strike out "\$1,494.70" and insert "\$869.76", so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Saul Phillips, of Albany, N. Y., the sum of \$869.76, in full satisfaction of his claim against the United States for overtime compensation as an employee of the Bureau of Entomology and Plant Quarantine, Department of Agriculture, during the period December 1, 1942, to June 30, 1945: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE K. HAVILAND

The bill (S. 1764) for the relief of George K. Haviland was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, may the Senate have some comment from the sponsors of this bill?

Mr. KILGORE. Mr. President, this bill provides for the payment of the sum of \$271.17 to George K. Haviland, of Seattle, Wash., in full satisfaction of his claim against the United States for com-

pensation of services rendered the Department of the Navy, during the period November 26 to December 16, 1944.

It appears that the claimant was employed as a mechanical inspector by the Austin Co., contractors, on the construction of the United States naval receiving station, Seattle, Wash. While so employed, there was some discussion, presumably with an officer of the Civil Engineer Corps, Department of the Navy, regarding the possibility that the claimant might be given civil-service employment in the construction-work program administered at that station by the Bureau of Yards and Docks, Navy Department.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. KILGORE. Let me add that, in other words, there was misunderstanding as to whether he worked for the Government. For that reason, he was not paid.

The purpose of this bill is to permit him to be paid for the work he did for the Government, for which he was not paid, by reason of the misunderstanding.

Mr. HENDRICKSON. Mr. President, I should like to ask the distinguished Senator from West Virginia whether the bill was proposed by the Department of Justice.

Mr. KILGORE. The Department of Justice did not propose the bill, but the Navy recommends enactment of the bill.

The Department of Justice has said: The Department of Justice is unable to recommend enactment of the bill.

The Department of Justice does not say it opposes enactment of the bill, but says it is unable to recommend enactment of the bill.

But the Navy recommends enactment of the bill.

Mr. HENDRICKSON. Was the committee unanimous in its decision to report the bill?

Mr. KILGORE. I do not recall that there was a record vote in the committee on the question of reporting the bill, but I do not think there was opposition to it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments on page 1, line 6, after the word "of", to strike out "\$336.43" and insert "\$271.17", and in line 8, after the word "Navy", to strike out "Corps of Engineers" and insert "Civil Engineer Corps", so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George K. Haviland, of Seattle, Wash., the sum of \$271.17, in full satisfaction of his claim against the United States for compensation for services rendered the Department of the Navy, Civil Engineer Corps, Bureau of Yards and Docks, Seattle, Wash., during the period November 26 to December 16, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same

shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### EXCHANGE OF CERTAIN NAVAJO TRIBAL LAND

The bill (S. 2140) to authorize the Secretary of the Interior to exchange certain Navajo tribal Indian land for certain Utah State land was announced as next in order.

The VICE PRESIDENT. There is on the calendar a corresponding House bill, Calendar No. 943, House bill 5390.

Mr. WATKINS. Mr. President, I ask that the House bill be substituted for the Senate bill and that it be considered at this time.

The VICE PRESIDENT. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5390) to authorize the Secretary of the Interior to exchange certain Navajo tribal Indian land for certain Utah State land.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. I should like to have an explanation of the bill, Mr. President.

Mr. WATKINS. Mr. President, this bill proposes to permit the Secretary of the Interior to exchange 640 acres of land in the Monument Valley of the Navajo Indian Reservation for 640 acres of land nearby, owned by the State of Utah. The State of Utah is preparing to build an airport in this desert country, but it must have title to the land on which the airport is built, because a part of the building will be done with the use of State funds. For that reason, the State must have title to the property. This is all desert land. I do not think any of it in the entire tract is worth more than \$200 or \$300 an acre.

The Indians are to be given preference for employment in the construction, maintenance, and operation of the airport, to the extent of their ability to work on the airport and to help with its maintenance.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, can the Senator from Utah assure me that in his opinion the Government is making a trade in this case of about value for value?

Mr. WATKINS. I assure the Senator from Oregon that the Government will be getting much the best of the deal, because an airport located at that point will provide means for taking out Indians when they are ill, and will provide transportation for that area, whereas no such transportation presently exists.

Mr. MORSE. I have no objection.

There being no objection, the bill (H. R. 5390) was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 2140, Calendar No. 919, is indefinitely postponed.

The clerk will state the next bill on the calendar.

#### BILL PASSED OVER

The bill (H. R. 4584) to provide for disposition of lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations in California, and for other purposes, was announced as next in order.

Mr. O'MAHONEY. Mr. President, I ask that the bill may go over for further consideration.

The VICE PRESIDENT. Objection being heard, the bill will be passed over.

#### CONVEYANCE OF LAND TO LILLIAN I. ANDERSON

The bill (S. 76) to authorize the Secretary of the Interior to convey a certain tract in the State of Arizona to Lillian I. Anderson was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I should like to have an explanation.

Mr. McFARLAND. Mr. President, the bill provides for the transfer of the title to approximately 5 acres of land to Lillian I. Anderson. Mrs. Anderson resides on the Hualapai Reservation in Arizona. She and her late husband have maintained a mission there for the Hualapai Indians for approximately 30 years. This is to authorize the transfer of the land upon which the mission is located. It is subject, according to the amendment, to the approval of the tribal council, whose attorney has written me informing me the tribal council favors the transfer.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 3, after line 13, to insert a new section, as follows:

SEC. 2. The Hualapai Tribe of the Hualapai Reservation, Ariz., acting through its tribal council, is hereby authorized to release to the United States any claim which it may have to the above-described tract of land, or on account of the holding or disposition thereof by the United States. In the absence of such a release, the quitclaim deed provided for in this act shall not convey any interest in said tract of land which is held by the United States in trust for said tribe, or the disposition of which would prejudice the rights of the United States or said tribe as against each other.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to Lillian I. Anderson, of Valentine, Ariz., without consideration, the following-described tract of land in the Hualapai Indian School Reserve, Mohave County, Ariz.: That tract of land, seven hundred and thirty feet long and three hundred feet wide, lying along and adjacent to the southeasterly boundary line of the Atchison, Topeka & Santa Fe Railway in the southeast quarter of section 10, township 23

north, range 13 west, Gila and Salt River Meridian, containing five and five one-hundredths acres more or less, which tract is more particularly described as follows:

Beginning at a heavy steel railroad rail embedded in the ground along the southeasterly two hundred foot right-of-way boundary line of the Atchison, Topeka & Santa Fe Railway, from which, the southeast corner of section 10, township 23 north, range 13 west, Gila and Salt River Meridian, Mohave County, Ariz., bears north thirty-four degrees fifty-five minutes east four thousand two hundred and fifty feet more or less, and from which, the four inches by four inches wood marker for United States 66 Highway station 1406-45A on the northwesterly boundary of the State highway right-of-way bears south seventy-one degrees thirty-seven minutes west, a distance of three hundred seventy and two-tenths feet; hence south twenty-four degrees fifty-eight minutes west along the said southeasterly right-of-way boundary of the Atchison, Topeka & Santa Fe Railway, a distance of two hundred and ninety feet to a point marked by an iron pipe, and thence two hundred and ninety feet more along this same course being a total of five hundred and eighty feet from the place of beginning to the southwest corner of the parcel of land being described marked by an iron pipe; thence, at right angle to the first course, south sixty-five degrees two minutes east a distance of three hundred feet to the southeast corner of the parcel of land marked by an iron pipe; thence north twenty-four degrees fifty-eight minutes east, and parallel to the first course, a distance of seven hundred and thirty feet to the northeast corner of the parcel of land marked by an iron pipe; thence, north sixty-five degrees two minutes west, a distance of three hundred feet to the northwest corner of the parcel of land marked by an iron pipe, being a point of intersection with the southeasterly boundary of the Atchison, Topeka & Santa Fe Railway right-of-way; thence south twenty-four degrees fifty-eight minutes west, along the southeasterly right-of-way, a distance of one hundred and fifty feet to the place of beginning.

SEC. 2. The Hualapai Tribe of the Hualapai Reservation, Ariz., acting through its tribal council, is hereby authorized to release to the United States any claim which it may have to the above-described tract of land, or on account of the holding or disposition thereof by the United States. In the absence of such a release, the quitclaim deed provided for in this act shall not convey any interest in said tract of land which is held by the United States in trust for said tribe, or the disposition of which would prejudice the rights of the United States or said tribe as against each other.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILL PASSED OVER

The bill (H. R. 2876) to effect an exchange of certain lands in the State of North Carolina between the United States and the Eastern Band of Cherokee Indians, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. O'MAHONEY. Mr. President, in the absence of the junior Senator from North Carolina [Mr. GRAHAM], I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

#### STATE COURSE OF STUDY IN INDIAN RESERVATION SCHOOLS

The bill (H. R. 3881) to provide for the use of the State course of study in schools operated by the Bureau of Indian Affairs on Indian reservations in South Dakota when requested by a majority vote of the parents of the students enrolled therein was considered, ordered to a third reading, read the third time, and passed.

#### AMENDMENT OF ARMY AND AIR FORCE VITALIZATION AND RETIREMENT EQUALIZATION ACT OF 1948

The bill (H. R. 5929) to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948 was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, in view of the fact that the committee report on the bill is very meager with respect to the facts, particularly in regard to the reasons why the President, on August 9, vetoed a counterpart of this measure, I think the Senate should have an explanation. I should like to know how the bill will overcome a Presidential veto.

Mr. SALTONSTALL. Mr. President, in the absence of the chairman of the committee, I have been given a memorandum which I think explains the point raised by the Senator. I shall read a part of the memorandum, as follows:

The reason the President vetoed the original version of this bill (H. R. 5508) was because it had been amended in the House to cover a relatively large number of National Guard officers who apparently had not been covered by Public Law 810. The costs of this particular amendment were such as to require further study before such legislation could be approved.

The bill presently before the Senate has deleted the objectionable amendment and the President in his budget message said he had no objection to the language presently included in the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

#### AMENDMENT OF SECTION 81 OF THE NATIONAL DEFENSE ACT, AS AMENDED

The bill (S. 2441) to amend section 81 of the National Defense Act, as amended, to provide for additional officers of the National Guard of the United States on active duty in the National Guard Bureau, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the second sentence of the second paragraph of section 81, National Defense Act (48 Stat. 159), as amended, be amended to read as follows:

"The President may also order, with their consent, to active duty in the National Guard Bureau, officers who at the time of their initial assignments hold appointments in the National Guard of the United States, and all such National Guard of the United States officers while so assigned shall receive the pay and allowances provided by law: *Provided*, That the number of the National Guard of the United States officers below

the grade of general officer ordered to such duty shall not exceed 40 percent of the number of officers authorized in each grade for duty in that bureau."

#### BILL PASSED OVER

The bill (S. 2440) to authorize certain construction at military and naval installations, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HUMPHREY. Over.

The VICE PRESIDENT. The bill will be passed over.

Mr. WILLIAMS. Mr. President, in view of the importance of this bill, I suggest the absence of a quorum.

The VICE PRESIDENT. The bill has already gone over.

Mr. WILLIAMS. I still suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Holland	Mundt
Anderson	Humphrey	Murray
Butler	Ives	O'Mahoney
Chapman	Johnson, Colo.	Reed
Chavez	Johnson, Tex.	Robertson
Connally	Kern	Saltonstall
Cordon	Kerr	Sparkman
Donnell	Kilgore	Stennis
Downey	Knowland	Taft
Eaton	Langer	Taylor
Ellender	Long	Thomas, Okla.
Frear	Lucas	Thomas, Utah
Fulbright	McClellan	Vandenberg
George	McFarland	Watkins
Gillette	McKellar	Wherry
Gurney	McMahon	Wiley
Hayden	Magnuson	Williams
Hendrickson	Malone	Withers
Hickenlooper	Miller	Young
Hill	Millikin	
Hoey	Morse	

The PRESIDING OFFICER (Mr. HOEY in the chair). A quorum is present.

The VICE PRESIDENT. The next bill on the calendar will be stated.

#### TRANSFER TO THE CROW INDIAN TRIBE OF MONTANA OF TITLE TO CERTAIN BUFFALO

The Senate proceeded to consider the bill (S. 1829) to authorize the Secretary of the Interior to transfer to the Crow Indian Tribe of Montana title to certain buffalo, which had been reported from the Committee on Interior and Insular Affairs with amendments, to insert on page 1, line 4, after the word "Montana," the words "the equitable"; and beginning in line 6, after "Montana," to insert:

The legal title to such buffalo to be held by the United States in trust for the use and benefit of the Crow Indian Tribe. The Secretary of the Interior is further authorized, in his discretion, to grant to the said tribe the unrestricted title to any or all of such buffalo.

SEC. 2. The Secretary of the Interior is further authorized, in his discretion, to grant to the tribe or tribes of any Indian reservation the unrestricted title to any buffalo now or hereafter held in trust for such tribes and deposit to the credit of such tribes either in their local treasury or in the Treasury of the United States the proceeds of sales of any buffalo previously held for the use and benefit of such tribes.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to transfer

to the Crow Indian Tribe of Montana the equitable title to all the buffalo owned by the United States on the Crow Indian Reservation, Mont., the legal title to such buffalo to be held by the United States in trust for the use and benefit of the Crow Indian Tribe. The Secretary of the Interior is further authorized, in his discretion, to grant to the said tribe the unrestricted title to any or all of such buffalo.

SEC. 2. The Secretary of the Interior is further authorized, in his discretion, to grant to the tribe or tribes of any Indian reservation the unrestricted title to any buffalo now or hereafter held in trust for such tribes and deposit to the credit of such tribes either in their local treasury or in the Treasury of the United States the proceeds of sales of any buffalo previously held for the use and benefit of such tribes.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### AMENDMENT TO PUBLIC HEALTH SERVICE ACT

The bill (S. 522) to amend the Public Health Service Act to authorize assistance to States and political subdivisions in the development and maintenance of local public units, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, while I am very much in favor of this bill, I think it is not the type of bill which should be passed on a mere call of the calendar. I think it should be given special consideration.

Mr. HILL. Mr. President, I do not want to take the time of the Senate, but the Senator from New Jersey may recall that I spoke to him with reference to this bill a few days ago. It does not start any new program; it simply emphasizes the importance of the Public Health services which we now have. The bill was very carefully considered by a subcommittee composed of the Senator from Ohio [Mr. TAFT], the Senator from Illinois [Mr. DOUGLAS], the Senator from Kentucky [Mr. WITHERS], the Senator from New Jersey [Mr. SMITH], and myself, and it was considered and unanimously reported by the full committee. It has the support of a great many organizations. It is sponsored by the Parent-Teachers' Association, the American Medical Association, the American Tuberculosis Association, the National Foundation for Infantile Paralysis, the National Health Council, American Public Health Association, and other organizations. I think it should be passed by the Senate, and it still must be passed by the House before Congress adjourns.

Mr. HENDRICKSON. Can the Senator tell us what cost is involved?

Mr. HILL. Approximately \$27,000,000. But that is not in addition to what we are expending at this time. We are expending approximately \$20,000,000. As we go ahead, perhaps, in years to come, of course the amount will increase. But the cost envisioned at the present time is approximately \$27,000,000. The appropriation this year carries approximately \$20,000,000 for the Public Health Service. This is not a new program in any sense of the word.

Mr. HENDRICKSON. I realize that. In view of the fact that this bill was con-

sidered by a very able and distinguished committee, and it has had a great deal of publicity and has been widely discussed both in and out of Congress, if the members of the committee feel the bill should pass on a calendar call, I withhold any objection.

Mr. TAFT. Mr. President, the bill is of great importance. The only reason the Senator from New Jersey raised the point was that it involves a fairly substantial authorization of money.

This bill and the bill on the calendar dealing with aids to medical education present two very important steps in Federal assistance to improvement of public health. Both of them are independent of the so-called compulsory health insurance, and have nothing to do with it. In fact, my inclination is to think that they will remove some of the arguments which have been made in favor of that particular program.

The only objection to action under the 5-minute rule is the importance of the bill, but the committee is unanimous, and feels that the bill is an important part of the general health program which is to be enacted.

Mr. HILL. And it should be passed at this session of the Congress. I desire to offer an amendment.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 522) to amend the Public Health Service Act to authorize assistance to States and political subdivisions in the development and maintenance of local public health units, and for other purposes, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "Local Public Health Units Act of 1949."

#### DECLARATION OF POLICY AND PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that—

(1) adequate protection of the Nation's health is essential to the security and well-being of our country and cannot be achieved unless public health services are available in every locality through adequately staffed and properly equipped local public health units;

(2) at present more than 40,000,000 persons in the United States live in areas not served by local public health units and less than 10,000,000 persons live in areas served by units which meet minimum public health standards;

(3) many areas cannot support local public health units staffed and equipped to the extent necessary for the provision of the public health services essential to the well-being of the community.

(b) It is therefore the policy of the Congress, and the purpose of this act, in the promotion of the general welfare and in the interest of national security, to assist the States, through the measures provided for in this act, in developing and maintaining local public health units organized to provide full-time public health services in all areas of the Nation and in the training of all types of personnel for local public health unit work.

#### STATE PUBLIC HEALTH SERVICES AND LOCAL PUBLIC HEALTH UNITS

SEC. 3. (a) Section 315 of the Public Health Service Act, as amended, is amended by redesignating such section as section 304.

(b) Part B of title III of such act is amended by adding at the end thereof the following new section:

**"GRANTS TO STATES FOR STATE PUBLIC HEALTH SERVICES AND LOCAL PUBLIC HEALTH UNITS"**

**"SEC. 315. (a) For the purposes of this section—**

**"(1) the term 'local public health unit' means the governmental authority of a local area authorized to provide in such area the public health services for which funds are made available under this section (including a unit of a State government specifically assigned responsibility for the provision of public health services in a local area and including the District of Columbia), or a combination of the governmental authorities of two or more contiguous local areas authorized to provide such services in such combined area;**

**"(2) the term 'population' (A), as applied to a State, means the population thereof according to the latest estimates available from the Department of Commerce on August 31 of the year preceding the fiscal year (or portion thereof) for which a determination with respect to such population is made under this section, and (B), as applied to less than State-wide areas, means the population of such areas according to the most recent decennial census figures certified by the Department of Commerce that are available on August 31 of the year preceding the fiscal year (or portion thereof) for which a determination with respect to such population is made under this section, increased or decreased in proportion to the increase or decrease since such census of the population of the State as estimated in accordance with clause (A) hereof;**

**"(3) the average per capita income of the United States or the average per capita income of a State, as the case may be, means its average per capita income for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce on August 31 of the year preceding the fiscal year for which the determination is made, except that the average per capita income of Hawaii shall be deemed to be equal to that of the continental United States (excluding Alaska) and the average per capita income of Alaska, Puerto Rico, and the Virgin Islands shall be deemed to be equal to one-half of that of the continental United States (excluding Alaska).**

**"(b) To enable the Surgeon General (1) to assist the States in establishing and maintaining adequate public health services and (2) to assist the States and their subdivisions in establishing and maintaining adequately staffed and equipped local public health units for the provision of public health services, there are hereby authorized to be appropriated for each fiscal year beginning with the fiscal year ending June 30, 1951, such sums as may be necessary to carry out such purposes, respectively. The sums appropriated pursuant to this section shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State plans for carrying out the purposes of this section.**

**"(c) Within 6 months after the enactment of this section, the Surgeon General shall by regulation prescribe with respect to local public health units—**

**"(1) the minimum population to be served by each public health unit, with variations for different types of areas, but such units shall not exceed in any State more than 1 for each 35,000 population, except that in States having less than 12 persons per square mile they shall not exceed 1 for each 20,000 population; and the minimum number and types of full-time professional and other personnel which local public health units in various types of areas must employ; including conditions under**

which and the extent to which compliance with such requirements may be postponed;

**"(2) subject to the limits set forth in subsection (d) (7), general methods of administration necessary to assure efficient and economical provision of public health services under State plans, including the conditions under which and the extent to which compliance with such methods may be postponed;**

**"(3) the types of services which shall be considered 'public health services' for which Federal funds provided under this section may be expended under State plans, which may include services dealing with the diagnosis and prevention of disease, the control of communicable disease, health education, demonstrations, sanitation, vital statistics, the training of personnel for State and local public health work, and other aspects of preventive medicine, but shall not include medical, dental, or nursing care except in the diagnosis or prevention of disease or the control of communicable disease.**

**"(d) In order to be approved under this section, a State plan shall—**

**"(1) set forth a program for establishing and maintaining adequate State public health services, including programs in mental health;**

**"(2) set forth a program for establishing and maintaining adequate State public health services, including health units for the provision of public health services: Provided, That nothing herein shall prevent the State from including other aspects of health activities in its plan, if the expense thereof is borne by the State and its subdivisions and not included in the term 'expenditures' for the purposes of subsection (e) hereof;**

**"(3) provide for the extension of the program referred to in paragraph (2) of this subsection so as to assure coverage under the program of all areas in the State at the earliest practicable date;**

**"(4) contain satisfactory evidence that the State health authority and the local public health units of the State whose populations are covered by the program referred to in paragraph (2) of this subsection will have authority to carry out the program in conformity with the provisions of this section and regulations prescribed thereunder;**

**"(5) provide, subject to regulations prescribed under subsection (c), that each local public health unit providing public health services under the plan have sufficient financial resources to assure efficient and economical administration of such health services;**

**"(6) provide for the allocation of all funds received by the State health authority for carrying out the program referred to in paragraph (2) of this subsection, to local public health units participating in the State plan, in accordance with methods that will assure equitable distribution and the effective use of such funds in the extension and expansion of public health services, and provide that all such funds shall be used by such units solely for the provision of such services;**

**"(7) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such method), as may be necessary to assure the efficient and economical provision of public health services under the plan;**

**"(8) provide that the State health authority will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and give the Surgeon General upon demand access to the records upon which such information is based.**

**The Surgeon General shall approve any State plan and any modification thereof**

which complies with the provisions of this subsection and regulations prescribed under subsection (c).

**"(e) (1) From the sums appropriated pursuant to this section for each fiscal year for carrying out the program referred to in paragraph (1) of subsection (d) of this section, the Surgeon General shall, from time to time and for specified periods, make allotments (including amounts allotted from such sums for any prior period in the same fiscal year and remaining unpaid to the States) to the several States on the basis of (1) population, (2) average per capita income, and (3) special factors relevant to the extent of the health problem in each such State. The amounts to be paid to each State having an approved plan from the allotments to such State shall be paid upon the condition that there shall be spent by the State for carrying out the approved plan for the purposes of the program referred to in paragraph (1) of subsection (d) of this section, an amount determined in accordance with regulations.**

**"(2) From the sums appropriated pursuant to this section, each State which has a State plan approved in accordance with subsection (d) shall be entitled to receive for each fiscal year, for carrying out the program referred to in paragraph (2) of such subsection, an amount which bears the same ratio to one-third of the total expenditures for such purpose for such year under the plan as the average per capita income of the continental United States (excluding Alaska) bears to the average per capita income of such State, except that (1) in no case may the amount paid to such State for a fiscal year exceed two-thirds of the expenditures for such purpose under the State plan for such year, and (2) there shall not be counted as expenditures under the State plan for such purpose for any fiscal year any sum in excess of \$1.50 (or such higher amount as may be specified in the appropriation pursuant to this section for such year) expended by any local public health unit participating in the State plan, multiplied by the population of the area of such unit. If, during the fiscal year, the areas covered by the State plan are changed, appropriate adjustments, prorated in accordance with the time the change becomes effective, shall be made in determining the maximum amount of the expenditures. If for any fiscal year appropriations pursuant to this section for carrying out the program referred to in paragraph (2) of subsection (d) are less than the Federal proportion under this paragraph with respect to total estimated expenditures (as of the beginning of such fiscal year) for such purpose for such year under State plans the amount to which each State is entitled under this paragraph shall be reduced proportionately.**

**"(3) No expenditures from grants received from the Federal Government under any provision of law (other than pursuant to this section) and no expenditures made by the State or by its subdivisions which have been reported as expenditures for the purposes of any other program aided by Federal grants, shall be counted as expenditures under the plan.**

**"(4) The Surgeon General may, by regulation, prescribe the extent to which the cost of services, facilities, and equipment utilized by a State or its subdivisions in carrying out a State plan approved under this section and utilized in addition in carrying out one or more State programs approved under other provisions of law providing for Federal grants to assist States or their subdivisions in carrying out health programs, shall be deemed to constitute expenditures under this subsection, and such regulations may provide that, if the major utilization of such services, facilities, and supplies is in carrying out a State plan approved under this section or is so divided among other programs as**

to make an apportionment thereof impracticable, the entire cost thereof shall be deemed to constitute an expenditure for the purpose of this subsection.

"(f) The Surgeon General shall, prior to the beginning of each period for which a payment is to be made, estimate the amount to be paid to the State for such period pursuant to subsection (e), and shall then certify to the Secretary of the Treasury the amount so estimated, increased or decreased, as the case may be, by any sum by which he finds that his estimate for any prior period was greater or less than the amount which should have been paid to the State under subsection (e) for such period. The Secretary of the Treasury shall thereupon, prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Surgeon General, the amount so certified.

"(g) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority of the State finds—

"(1) that the State plan has been changed so that it no longer complies with the requirements of subsection (d); or

"(2) that in the administration of the plan there is a failure to comply substantially with any provision required by subsection (d) to be included in the plan; or

"(3) that the State plan has ceased to comply with regulations under subsection (c): *Provided*, That no changes in a State plan shall be required within 2 years after initial approval thereof, or within 2 years after any change required therein by reason of any change in the regulations prescribed pursuant to subsection (c), except with the consent of the State or in accordance with further action by the Congress;

the Surgeon General shall notify such State health authority that further payments will not be made to the State from appropriations pursuant to this section (or, in his discretion, that further payments will not be made to the State from such appropriations for activities or areas in which there is such failure) until he finds that the plan again complies with such requirements or until he is satisfied that there will no longer be any such failure. Until he so finds, or is so satisfied, the Surgeon General shall make no further certification for payment to such State from appropriations pursuant to this section, or shall limit payment to activities or areas in which there is no such failure.

"(h) (1) If any State is dissatisfied with the Surgeon General's action under subsection (g) of this section, such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Surgeon General shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"(2) The findings of fact by the Surgeon General, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Surgeon General to take further evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.

"(3) The court shall have jurisdiction to affirm the action of the Surgeon General or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code."

#### AMENDMENTS TO SECTION 314 OF THE PUBLIC HEALTH SERVICE ACT

SEC. 4. (a) Subsection (c) of section 314 of the Public Health Service Act, as amended, is amended to read as follows:

"(c) There is hereby authorized to be appropriated such sums as are necessary to enable the Surgeon General to provide demonstrations and to train personnel for State and local health work and to meet the cost of pay, allowances, and traveling expenses of commissioned officers and other personnel of the Service detailed to assist the States and their local subdivisions in carrying out the purposes of section 315."

(b) The first sentence of subsection (d) of such section 314 is amended to read as follows: "For each fiscal year, the Surgeon General, with the approval of the Administrator, shall determine the total sum from the appropriation under subsection (a) and the appropriation under subsection (b), which shall be available for allotment among the several States."

(c) Subsection (g) of such section 314 is amended (1) by striking out "or subsection (c)."; and (2) by striking out the following: "and, to the extent that any such plan contains provisions relating to mental health, by the mental health authority of such State."

(d) Subsection (h) of such section 314 is amended by striking out "(c)."

(e) Subsection (i) of such section 314 is amended (1) by striking out "or, where appropriate, the mental health authority"; (2) by striking out "or subsection (c)."; and (3) by striking out "or mental health authority."

(f) Subsection (j) of such section 314 is amended to read as follows:

"(j) All regulations and amendments thereto with respect to grants to States under this section or section 315 shall be made after consultation with the State health authorities and, in the case of regulations or amendments which relate to or in any way affect grants for work in the field of mental health, the State mental health authorities. Insofar as practicable, the Surgeon General shall obtain the agreement, prior to the issuance of any such regulations or amendments, of the State health authorities and, in the case of regulations or amendments which relate to or in any way affect grants for work in the field of mental health, the State mental health authorities. Except in case of emergency such regulations shall be issued only after 30 days' notice to, and presentation to the annual conference of, such health authorities."

(g) The amendments made by this section shall take effect July 1, 1950. Any amount paid to a State for carrying out the purposes of subsection (c) of section 314 of the Public Health Service Act prior to July 1, 1950, and remaining unexpended on that date shall remain available for expenditure by the State for State public health services in accordance with a plan approved under section 315 of the Public Health Service Act, as amended by this act, but shall be deducted from the payments to which the State would otherwise be entitled under section 315.

The clerk will state the amendment of the Senator from Alabama.

The LEGISLATIVE CLERK. In the committee amendment, on page 17, line 6, after the word "disease," it is proposed to strike out the period, and insert a comma and "or the promotion, establishment, or maintenance of industrial accident-prevention programs."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Public Health Service Act to authorize assistance to States and their subdivisions in the development and maintenance of local public health units, and for other purposes."

#### SUBSISTENCE EXPENSES TO JUSTICES AND JUDGES

The bill (H. R. 2166) to amend title 28, United States Code, section 456, so as to increase to \$15 per day the limit on subsistence expenses allowed to justices and judges while attending court or transacting official business at places other than their official station, and to authorize reimbursement for such travel by privately owned automobiles at a rate of not exceeding 7 cents per mile, was announced as next in order.

Mr. KILGORE. Mr. President, House bill 2166 is the same as Calendar 825, which is Senate bill 48. There is only one difference between the two bills. There is a misplaced comma in House bill 2166 which is removed in Senate bill 48, and I therefore ask unanimous consent that the Senate bill be substituted for the House bill.

The PRESIDING OFFICER. Does not the Senator want the House bill passed?

Mr. KILGORE. Calendar No. 932 is House bill 2166, and Calendar 825 is the Senate bill.

Mr. AIKEN. Mr. President, it is my understanding that the Senator from New Hampshire [Mr. TOWSE] desires to object to the consideration of the bill at this time.

The PRESIDING OFFICER. Objection is heard.

Mr. TAFT. Mr. President, I suggest it would be a mistake to substitute the Senate bill for the House bill. It would be all right to insert the comma.

Mr. KILGORE. The reason for my suggestion was that the House bill is ambiguous by reason of a comma.

Mr. TAFT. The Senator might desire to amend the House bill by substituting the Senate language, but certainly he does not want the Senate to pass one bill and the House to pass another.

The PRESIDING OFFICER. Objection has been heard, and the bill will be passed over.

#### COMPENSATION OF EMPLOYEES PAID ON A FEE BASIS

The Senate proceeded to consider the bill (H. R. 5465) to amend section 4 of the Civil Service Retirement Act of May 29, 1930, as amended.

Mr. HILL. Mr. President, I have collaborated with the committee expert on this bill, and we have agreed on some amendments which I offer, which do not change the intent or purport of the bill.

Mr. WILLIAMS. Mr. President, I am very much interested in this bill, but I ask that it go to the foot of the calendar.

Mr. HILL. Very well.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

#### BILL PASSED OVER

The bill (S. 1390) to authorize the conveyance to the State of California of

easements for the construction and maintenance of a toll highway crossing and approaches thereto over and across lands of the United States in the vicinity of San Francisco Bay, Calif., and for other purposes, was announced as next in order.

Mr. DOWNEY. Over.

The PRESIDING OFFICER. The bill will be passed over.

#### EDUCATIONAL ASSISTANCE ON FEDERAL RESERVATIONS

The bill (H. R. 3829) to provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. May we have an explanation of the bill? It is highly important.

Mr. THOMAS of Utah. Mr. President, this bill in effect is a continuation of what is called the Thomas-Lanham Act, which provided for schools in defense areas throughout the country. The areas are still in existence, and we are asking for another year's extension of the law. The bill has passed the House of Representatives. Most serious consideration has been given to it. It is one of vital importance to some 350,000 school children, and it affects 175 school districts throughout the country. The program will end on July 30, 1950.

I know of no emergency legislation in relation to education in the whole country quite so pressing as this particular bill. Everyone knows that when we started building defense plants we sometimes put them in places where schools and other facilities were not available, and the school districts have had to take on extra burdens. This is a relief bill for those districts, and to take care of something which happened as a result of the defense efforts during the war.

Mr. MORSE. Mr. President, I wish to associate myself with the remarks of the Senator from Utah. I served on the subcommittee which took the testimony on the bill. School superintendents and also members of school boards from various parts of the country appeared before the committee and gave us evidence which left no room for doubt, so far as the committee was concerned, of the necessity of the enactment of the bill as an emergency measure to take care of the lack of facilities under which children are suffering in the areas where the Federal projects are located. I sincerely hope that the Senate will see its way clear to pass the bill today.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

#### CONVEYANCE OF LAND TO PALM BEACH COUNTY, FLA.

The Senate proceeded to consider the bill (H. R. 2517) directing the Secretary of the Interior to convey certain land to Palm Beach County, Fla.

Mr. HENDRICKSON. Mr. President, I send to the desk two very simple amendments which I understand have the approval of the sponsor of the bill.

The PRESIDING OFFICER. The clerk will state the amendments.

The LEGISLATIVE CLERK. On page 1, line 4, after the word "lands", it is proposed to insert "for use by said county for recreational or park purposes."

On page 1, after line 9, strike out section 2, as follows:

SEC. 2. The land shall be sold at a price to be fixed by the Secretary of the Interior through appraisal, or otherwise.

And insert in lieu thereof:

SEC. 2. Such lands shall be sold at a price not less than 50 percent of the appraised fair market value as determined by the Secretary of the Interior: *Provided*, That title to such lands shall revert to the United States upon payment of the purchase price to said county upon a finding by the Secretary of the Interior that for a period of five consecutive years such land has not been used by said county for recreational or park purposes, or that such land or any part thereof is being devoted to other use.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### CONVEYANCE TO NEW YORK OF PROPERTY IN FORT NIAGARA STATE PARK

The bill (H. R. 4073) to provide for the conveyance to the State of New York of certain historic property situated within Fort Niagara State Park, and for other purposes, was announced as next in order.

Mr. MORSE. Mr. President, I should like to have an explanation of the bill.

Mr. IVES. Mr. President, this property involves seventy-four ten-thousandths of 1 acre. I think every Member of the Senate will appreciate that seventy-four ten-thousandths of 1 acre is just slightly under three-fourths of 1 percent of 1 acre.

This land is the site of a monument known as the Father Millet Cross National Monument, which was established at Fort Niagara State Park in New York State a number of years ago. The legislation is being offered at the request of the National Park Service. It seems that the Federal Government does not have the facilities to take care of property in the middle of the park, and this property, which is located in the middle of the park, is being neglected. The State of New York would like to obtain control of it so it can see that it is properly cared for. The Director of State Parks of the State of New York himself has requested that this authorizing legislation be enacted in order to permit the State of New York properly to act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. I have no objection. The statement made by the Senator from New York convinces me of the merits of the bill.

Mr. IVES. The Senator from New York thanks the distinguished Senator from Oregon.

There being no objection, the bill (H. R. 4073) to provide for the conveyance to the State of New York of certain historic property situated within Fort Niagara State Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

#### ADDITION OF SURPLUS LAND TO PETERSBURG NATIONAL MILITARY PARK, VA.

The bill (H. R. 4208) to add certain surplus land to Petersburg National Military Park, Va., to define the boundaries thereof, and for other purposes, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. O'MAHONEY. Mr. President, the report which was filed on behalf of the Committee on Interior and Insular Affairs points out that this bill, which has already passed the House, authorizes the transfer by the Department of the Army to the Department of the Interior of approximately 206 acres of land to be included in the Petersburg National Military Park.

Mr. MORSE. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H. R. 4208) was considered, ordered to a third reading, read the third time, and passed.

#### COMPOSITION OF THE ARMY AND AIR FORCE OF THE UNITED STATES

The bill (H. R. 1437) to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, the mere title of the bill suggests that it is the type of legislation that should be given more consideration than we can give it under the 5-minute rule. Therefore I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HENDRICKSON subsequently said: Mr. President, I ask that the Senate return to Calendar 940, House bill 1437. I have been assured that that bill really validates many things which have been done by way of reorganization of the armed forces.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 1437) to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes, which had been reported from the Committee on Armed Services with amendments.

The amendments of the committee were, on page 1, line 5, after the word "Force", to insert "Authorization"; on page 3, line 3, after the word "only", to strike out "persons paid under the appropriations for the National Guard and Organized Reserve Corps,"; in line 5, after the word "personnel", to strike out "and units"; in line 8, after the word "exceed", to strike out "thirty-three thousand five hundred" and insert "thirty thousand six hundred"; in line

10, after the word "Regular", to strike out "Army, exclusive of the numbers authorized by law for the Army Nurse Corps and the Women's Medical Specialist Corps," and insert "Army (including commissioned officers of the Women's Army Corps, but exclusive of the numbers authorized by law for the Army Nurse Corps, the Women's Medical Specialist Corps, professors of the United States Military Academy, and any numbers authorized by special provisions of law providing for officers in designated categories as additional numbers)"; in line 23, after the word "words", to strike out "thirty-three thousand five hundred" and insert "thirty thousand six hundred"; on page 4, line 6, after the word "of" where it occurs the second time, to strike out "seven hundred and fifty thousand" and insert "six hundred thousand"; in line 13, after the word "Corps", to strike out "a personnel strength of nine hundred and eighty thousand officers, warrant officers, and enlisted persons, excluding those serving on active duty in the Army of the United States who are counted within the personnel strength of eight hundred and thirty-seven thousand authorized in subsection (a) of this section" and insert "such personnel strength as is necessary to form the basis for complete and immediate mobilization for the national defense in the event of a national emergency"; in line 22, after the word "the", to strike out "Officers" and insert "Organized"; on page 5, line 3, after the word "and", to strike out "facilities, including guided missiles," and insert "facilities"; after line 20, to strike out:

#### APPROPRIATION AUTHORIZATION

Sec. 105. There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums of moneys as may be necessary to carry out the purposes of this title. Except as may otherwise be provided in the appropriation act concerned, (1) any moneys appropriated to carry out the purposes of section 103 of this act shall remain available for obligation during the fiscal year for which appropriated and for the succeeding fiscal year, and shall remain available for expenditure for a total of 5 years; and (2) any moneys appropriated to carry out the purposes of section 104 of this act shall remain available until expended.

On page 6, line 13, after "Sec. 201", to strike out "(a)"; in line 20, after the word "Air", to insert "Force"; in line 21, after the word "Air", to insert "Force"; on page 7, after line 2, to strike out:

#### AUTHORIZED COMPOSITION

(b) The Air Force of the United States shall have an authorized strength of 70 United States Air Force groups, 22 separate United States Air Force squadrons, and 61 Air Force reserve groups, together with necessary supporting and auxiliary United States Air Force and reserve units.

In line 17, after the word "purposes", to strike out "only, persons paid under the appropriations for the Air National Guard and United States Air Force Reserve," and insert "only"; in line 19, after the word "personnel", to strike out "and units"; in line 23, after the word "exceed", to strike out "twenty-seven thousand five hundred" and insert "twenty-two thousand four hundred, exclusive of

numbers authorized for the Air Force Nurse Corps, the Air Force Women's Medical Specialist Corps, and any numbers authorized by special provision of law providing for officers in designated categories as additional numbers"; on page 8, line 11, after the word "of", to strike out "one hundred thousand" and insert "one hundred and fifty thousand"; in line 12, after the word "persons", to strike out "including those members of the Air National Guard of the United States serving on active duty in the Air Force of the United States who are not" and insert "excluding those serving on active duty in the Air Force of the United States who are"; in line 20, after the word "Reserve", to strike out "a personnel strength of five hundred thousand officers, warrant officers, and enlisted persons, including those members of the United States Air Force Reserve on active duty in the Air Force of the United States who are not counted within the personnel strength of the five hundred and two thousand authorized in subsection (a) of this section" and insert "such personnel strength as is necessary to form the basis for complete mobilization for the national defense in the event of a national emergency"; on page 9, line 19, after the word "authorized", to insert "(1)"; in the same line, after the word "procure", to strike out "(1) five thousand two hundred aircraft or forty-two thousand five hundred airframe tons annually, whichever amount the Secretary of the Air Force may determine is more appropriate, to provide"; in line 25, after the word "obsolete", to insert "and"; in the same line, after "(2)", to strike out "guided missiles, and (3)" and insert "to procure the"; on page 10, line 2, after the word "of", to strike out "aircraft and guided missiles herein authorized" and insert "the Air Force of the United States"; after line 10, to strike out:

#### APPROPRIATIONS AND AUTHORIZATIONS

Sec. 206. There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary to carry out the purposes of this title. Moneys appropriated to carry out the purposes of sections 204 and 205 of this title shall remain available until expended.

In line 20, to change the section number from "207" to "206"; on page 11, line 2, to change the section number from "208" to "207"; in line 9, before the word "Departments", to insert "military"; in the same line, after the words "of the", to strike out "National Military Establishment" and insert "Department of Defense"; in line 11, after the numerals "1947", to insert "as amended"; in the same line, after the amendment just above stated, to strike out "(Public Law 253, Eightieth Congress)"; after line 18, to insert:

#### APPROPRIATIONS

Sec. 303. (a) There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

(b) Moneys appropriated to the Departments of the Army, Navy, or Air Force for procurement of technical military equipment and supplies, the construction of public

works, and for research and development shall remain available until expended unless otherwise provided in the appropriation act concerned.

And on page 12, after line 4, to insert:

#### LIMITATION OF AUTHORITY

Sec. 304. Nothing contained in this act shall be construed to authorize the Department of Defense to expend any money appropriated pursuant to authority conferred by this act for the design, development, testing, tooling, modification, construction, or procurement of any transport or cargo aircraft intended primarily for commercial use, whether or not such aircraft may be adaptable for auxiliary military service.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 1437) was read the third time and passed.

#### AMENDMENT OF ATOMIC ENERGY ACT OF 1946—BILL PASSED OVER

The bill (S. 2372) to amend the Atomic Energy Act of 1946 was announced as next in order.

Mr. THOMAS of Oklahoma. Mr. President, at the request of the senior Senator from Tennessee [Mr. McKellar] I ask that the bill go over temporarily.

The PRESIDING OFFICER. The bill will be passed over.

Mr. McMAHON. Mr. President, will the Senator withhold his objection until I make a brief statement for the Record?

Mr. THOMAS of Oklahoma. Certainly.

Mr. McMAHON. Mr. President, Senate bill 2372, a bill to amend the Atomic Energy Act of 1946, provides for the appointment of a chairman of the military liaison committee. In the original act there was no provision for a chairman. The bill provides that the chairman shall be designated by the President and confirmed by the Senate. It also provides that he shall be paid the same salary as the Chairman of the Munitions Board, which is at present \$14,000 a year. The other feature of the bill is to provide for representation on the military liaison committee by members of the Air Force. That is all there is to the bill. It was reported both to the House and to the Senate from the Joint Committee on Atomic Energy, with the unanimous approval of the joint committee.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. McMAHON. I yield.

Mr. KNOWLAND. Speaking as one of the minority members of that committee, I simply want to join in the remarks of the chairman of the Joint Committee on Atomic Energy and say that the bill was reported unanimously after a study by the joint committee.

Mr. McMAHON. I hope that perhaps on the next call of the calendar the objection will be withdrawn.

Mr. THOMAS of Oklahoma. Mr. President, the senior Senator from Tennessee was in the Chamber a moment ago. He said he had to go away for 15 or 20 minutes, and asked that if the bill was reached before he returned, that it be passed over.

The PRESIDING OFFICER. The bill will be passed over temporarily.

Mr. THOMAS of Oklahoma. As soon as the Senator from Tennessee returns I shall ask him to consult with the Senator from Connecticut.

#### AMENDMENT OF RULE XXIX

The Senate proceeded to consider the resolution (S. Res. 95) to amend rule XXIX by requiring committee reports on measures repealing or amending a statute to show changes in existing law, was announced as next in order.

Mr. HAYDEN. Mr. President, this amendment of the rules was unanimously reported by the Committee on Rules and Administration. It would put into effect in the Senate the same rule which was adopted by the House in 1929, requiring that when any committee reports a bill or joint resolution repealing or amending any statute, it shall include in the report the text of the statute to be repealed, and show exactly what is proposed to be substituted for it.

Mr. Rice, the legislative counsel, suggests that inasmuch as the members of the committee staffs are not entirely familiar with this rule, it might be better to amend the resolution in line 1 on page 1, by inserting after the word "that" the words "effective January 3, 1950." I offer that amendment to the resolution.

Mr. KNOWLAND. Mr. President, reserving the right to object—and I shall not object, because I think the rule is a great improvement—I wonder if the able chairman of the Committee on Rules and Administration, during the course of the remainder of the session and perhaps early in the next session, will give some thought to the possibility of including a notation on the calendar when there is a divided committee vote. For example, in a committee with a membership of 13, if a bill is reported by a vote of 7 to 6, I think it would give notice to the membership that it is highly a controversial bill, whereas if it is a unanimous report, the situation is different. In going through the calendar we could note at a glance the vote by which a bill was reported. I believe that is a suggestion for the improvement of our legislative process. It might be well to show the vote by which the committee reported the bill.

Mr. HAYDEN. Mr. President, I believe that is an excellent suggestion.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

The amendment was agreed to.

The resolution, as amended, was agreed to.

#### POSTHUMOUS PROMOTION OF THE LATE VICE ADM. JOHN SIDNEY MCCAIN, UNITED STATES NAVY

The joint resolution (H. J. Res. 281) to authorize the President to issue posthumously to the late John Sidney McCain, vice admiral, United States Navy, a commission as admiral, United States Navy, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

#### MISSISSIPPI RIVER BRIDGE, ST. LOUIS, MO.

The bill (H. R. 3478) to extend the time for completing the construction of a bridge across the Mississippi River at or near a point between Delmar Boulevard and Cole Street, in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill., was considered, ordered to a third reading, read the third time, and passed.

#### PURCHASE OF CERTAIN PROPERTY IN MORGAN COUNTY, OHIO

The bill (H. R. 3071) to authorize the Secretary of the Army to purchase certain property in Morgan County was considered, ordered to a third reading, read the third time, and passed.

#### CONVEYANCE OF LAND TO NORFOLK COUNTY TRUST CO., STOUGHTON, MASS.

The Senate proceeded to consider the bill (H. R. 5356) to provide for the conveyance of land to the Norfolk County Trust Co. in Stoughton, Mass.

Mr. HENDRICKSON. Mr. President, I do not object to the bill, but I send to the desk an appropriate amendment, which has been agreed to by the sponsors of the bill.

Mr. HOLLAND. Mr. President, as I understand the amendment, it seeks to require that the full value be paid. That is the intention of the purchasers. This has to do with a narrow strip of land to be utilized in a building. It can be spared from the post-office site. The Government agencies have agreed to it. There is no thought of giving anything away.

Mr. HENDRICKSON. I assure the distinguished Senator from Florida that that is the only purpose of the amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from New Jersey will be stated.

The LEGISLATIVE CLERK. On page 1, line 4, after the word "sell" it is proposed to insert "at an appraised fair market value."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### SALE OF LOUISVILLE MARINE HOSPITAL, JEFFERSON COUNTY, KY.

The bill (H. R. 3197) relating to the sale of the old Louisville Marine Hospital, Jefferson County, Ky., was considered, ordered to a third reading, read the third time, and passed.

#### AMENDMENT OF PHILIPPINE REHABILITATION ACT OF 1946

The bill (S. 2374) to amend the Philippine Rehabilitation Act of 1946, was announced as next in order.

The PRESIDING OFFICER. There is an identical bill before the Committee on Foreign Relations, House bill 5535, a bill to amend the Philippine Rehabilitation Act of 1946. Without objection, the Committee on Foreign Relations will be discharged from the further consideration of House bill 5535.

Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5535) to amend the Philippine Rehabilitation Act of 1946.

Mr. HENDRICKSON. Mr. President, I think the Senate should have an explanation of the bill.

Mr. CHAVEZ. Mr. President, in 1946 the Congress passed legislation for the rehabilitation of certain areas of the Philippine Islands. The bill was introduced by the Senator from Maryland [Mr. TYDINGS]. The Committee on Public Works, to which the bill was referred, has recommended that the bill pass.

The bill provides for the extension for 1 year, from June 30, 1950, to June 30, 1951, of the time of completion of certain construction programs authorized by sections 302 and 303, title III, of the original Act of 1946. The programs consist of restoration, improvement, and construction of roads, essential streets and bridges, and port and harbor facilities which were destroyed during the war. We had just granted the Philippine Islands their freedom and the right to exist as a republic, and it was felt that the United States was obligated to help in the program of reconstruction. The bill carries no further appropriations, but merely extends the time.

Mr. HENDRICKSON. Can we rest assured that this will not cost any additional money?

Mr. CHAVEZ. Yes, the report so states. If the Senator will read the letter from the Department of State addressed to the Vice President, and signed by Mr. Webb, he will be satisfied that it will not cost any money. The bill simply extends the time for completing the work.

Mr. HENDRICKSON. I thank the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H. R. 5535) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2374 is indefinitely postponed.

#### SALE OF LANDS IN FLORIDA TO ALBERT M. LEWIS, JR.

The Senate proceeded to consider the bill (H. R. 2475) to authorize and direct the Secretary of the Interior to sell to Albert M. Lewis, Jr., certain land in the State of Florida.

Mr. HOLLAND. Mr. President, this bill simply provides for the sale to a Purple Heart veteran of 2½ acres of land upon which his house, where he has been living for many years, is located. It was put there by mistake. I understand that there is no objection to the bill.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

#### BILL PASSED OVER

The bill (S. 1596) to authorize the Postmaster General to enter into special agreements for certain switching service by railway common carriers, and for

other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request, I object.

The PRESIDING OFFICER. The bill is passed over.

#### CHANGE IN CLASSIFICATION OF CROW INDIANS

The bill (H. R. 2170) authorizing changes in the classification of Crow Indians, was considered, ordered to a third reading, read the third time, and passed.

#### SALE OF CERTAIN ALLOTTED INHERITED LAND ON THE FLATHEAD INDIAN RESERVATION, MONT.

The Senate proceeded to consider the bill (H. R. 1976) to authorize the sale of certain allotted inherited land on the Flathead Indian Reservation, Mont., which had been reported from the Committee on the Interior and Insular Affairs with amendments, on page 1, line 9, after the name "Finley," to strike out "to Albert Lloyd Helmer," and in line 10, after the word "consideration," to strike out "of \$1,487.50" and insert "to be agreed upon between said owners and the purchaser and approved by the Secretary of the Interior and the tribal council of the Consolidated Salish and Kootenai Tribes of the Flathead Reservation."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### ENLISTMENT OF ALIENS IN THE REGULAR ARMY

The Senate proceeded to consider the bill (S. 2269) to provide for the enlistment of aliens in the Regular Army.

Mr. HENDRICKSON. Mr. President, since the purpose of the bill is apparently to take aliens into our Army, I think we should have an explanation.

Mr. SALTONSTALL. Mr. President, in the absence of the chairman of the committee [Mr. TYDINGS], let me say that this bill was introduced by my colleague [Mr. LODGE]. It is quite similar to S. 2016, which was adopted by the Senate last year as an amendment to the Selective Service Act. It is somewhat more restrictive in its provisions, and to that extent meets the objections which were advanced last year by the State Department and Immigration.

It permits the enlistment or reenlistment in the Regular Army of not to exceed 10,000 aliens. Specific provision is made which requires that the Secretary of State concur in the manner in which the program is implemented.

The enlistment period is 5 years, and the program expires at the end of 2 years. At the end of 2 years this type of enlistment will stop. There is no suggestion of a foreign legion in this bill, in that the restriction in last year's bill that this personnel should be only for service overseas has been removed.

The bill is drawn so that persons who enlist as a result of this program may become citizens of the United States, provided they qualify. A technical qualification of the bill specifies that if the

individual is ordered into the United States by military orders, this shall be deemed to meet the technical term "permanent residence" used in immigration laws. Otherwise the individual could not begin to qualify until after he completed his enlistment.

Special provision in the bill limits the program to persons who have no married dependents. This is in accord with present recruiting standards, so as to insure that these individuals are not given an advantage which we deny our own people. Also, it eliminates the danger of persons using such dependents as a lever against an individual, should he enlist.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. ELLENDER. Is there a limit to the number who can enlist?

Mr. SALTONSTALL. The number is limited to 10,000, and the program ends in 2 years. In other words, this is good for 2 years, but not beyond that.

Mr. ELLENDER. How long do they serve?

Mr. SALTONSTALL. They serve for 5 years before they become eligible for citizenship.

Mr. THOMAS of Utah. Mr. President, I should like to associate myself with the Senator from Massachusetts in his remarks about the bill. This is an old question. We have had it before us in the Committee on Military Affairs time and time again. The wisdom behind the bill cannot be challenged, neither can its purpose. I think it should become a law, and we should make it possible for these men to serve when they are worthy and meet all the requirements. The bill has every safeguard which I know our Government is interested in.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That, with the approval of the Secretary of State, the Secretary of the Army, under such regulations as the Secretary of the Army may prescribe, is authorized until June 30, 1951, to accept original enlistments in the Regular Army for periods of not less than 5 years of not to exceed 10,000 qualified unmarried aliens (without dependents as defined in section 4 of the act of June 16, 1942 (56 Stat. 361), as amended), who are not less than 18 years of age or more than 35 years of age; and with the approval of the Secretary of State, to accept reenlistment of any such alien upon the expiration of his original term of enlistment for such period or periods as the Secretary of the Army may determine.

SEC. 2. Provisions of law prohibiting the payment of any person not a citizen of the United States shall neither apply to aliens who enlist in the Regular Army under the provisions of section 1 of this act nor to their dependents and beneficiaries.

SEC. 3. So much of section 2 of the act approved August 1, 1894 (28 Stat., ch. 179, 216; 10 U. S. C. 625), as amended, as reads "and in time of peace no person (except an Indian) who is not a citizen of the United States, or who has not made legal declaration of his intention to become a citizen of the United States, shall be enlisted for the first enlistment in the Army" is hereby sus-

pended until June 30, 1951, with respect to enlistments made under section 1 of this act.

SEC. 4. Notwithstanding the periods set forth therein, the provisions of section 324A of the Nationality Act of 1940, as added by the act of June 1, 1948 (Pub. Law 537, 80th Cong.), are applicable to aliens enlisted or reenlisted pursuant to the provisions of this act. Any alien enlisted or reenlisted pursuant to the provisions of this act who subsequently enters the United States or an outlying possession thereof (including the Panama Canal Zone, but excluding the Philippine Islands) pursuant to military orders shall be deemed to have been lawfully admitted to the United States for permanent residence within the meaning of such section 324A.

#### BILL PASSED OVER

The bill (S. 17) to authorize the Secretary of the Interior to issue patents for certain lands to certain settlers in the Pyramid Lake Indian Reservation, Nev., was announced as next in order.

Mr. MURRAY. Over.

The PRESIDING OFFICER. The bill is passed over.

#### GRANTS FOR SCHOOL CONSTRUCTION, ETC.—BILL PASSED OVER

The bill (S. 2317) to authorize grants to the States for surveying their need for elementary and secondary school facilities and for planning State-wide programs of school construction; and to authorize grants for school construction, for advance planning of school facilities, and for other purposes was announced as next in order.

Mr. DONNELL. Mr. President, reserving the right to object, I desire to call attention of the Senate to what I consider to be some exceedingly important misstatements in the report which has been printed to accompany this bill. I am referring to report No. 948. I assume, of course, there was no intention to make misstatements in the report, but obviously to those of us who have participated in the consideration of this bill, there comes home a very clear realization of the fact that the report does not correctly state the situation.

This bill consists of what may properly be termed, I think, two parts, one of which is declared in the report to be "the long-range program provided for in sections 201 to 205, inclusive, of S. 2317" as originally introduced.

The second portion of the bill is purely an emergency measure, and appears in section 206 and perhaps in following sections, as the bill was originally introduced.

The committee considered with great care the two questions involved. Many other questions, I take it, were likewise considered with equal care. The two sections to which I refer in particular were as to whether there should be a long-range program by which the Federal Government should recognize and carry out any obligation for contributing toward the construction of school buildings in the United States.

The second proposition which was considered was whether the Congress should give attention to emergency situations arising where war activities and the transition from wartime to peacetime conditions had resulted in various

school districts being overburdened with school enrollments; and whether the Federal Government should, in such emergency situations, recognize the obligation to assist in the construction of school buildings.

Notwithstanding the report of the subcommittee which advocated the long-range program, as well as the emergency situation program, the committee itself determined to strike out the portion referring to the long-range program, but to leave in the bill the portion which pertained to the emergency program. So the Senate will observe that a very large proportion of the language of the bill has been stricken out.

There was nothing in the action of the committee, according to my understanding—and I think I am correct as to this—which even remotely committed the committee to any approval of a long-range program or to any recognition whatsoever of the obligation of the Federal Government to contribute to the construction of school buildings throughout the Nation, other than in the emergency situations to which I have referred.

Yet when I observe this printed report, I note that on page 4 the following appears:

The committee further recognizes that the Federal Government has an obligation to assist all States to provide satisfactory physical facilities for education.

Then on page 5 the report states:

The subcommittee's recommended School Construction Act provides a sound administrative pattern by which the Federal Government would recognize its responsibility for assisting the States in financing the construction of needed school facilities.

I have not read the entire report, but I have observed, on page 10, this language:

The Committee on Labor and Public Welfare endorses S. 2317 as recommended by the subcommittee.

Mr. President, that was the bill which recognized not only the emergency obligation but also what the subcommittee considered to be a long-range, long-term obligation.

Then the report proceeds with the surprising and amazing statement:

It is strongly recommended that this bill, in its entirety, be used as the pattern for a long-range school construction program at a later date.

And then further:

Since, however, some members of the committee question the timeliness of the long-range pattern provided for in sections 201 to 205, inclusive, of S. 2317 as introduced on July 22, the Committee on Labor and Public Welfare recommends that the first session of the Eighty-first Congress enact immediately an amended S. 2317 which will provide for surveys and emergency school construction as provided for in title I and section 206, respectively, of S. 2317 as originally introduced.

Mr. President, I wish it understood that I am not objecting to the emergency construction provisions; but I do call attention to the following language in the report, immediately following the portion I have read:

It is believed by this committee that preliminary results of the survey provided for in

title I will justify the enactment of the long-range pattern of S. 2317 by the second session of the Eighty-first Congress. The Committee on Labor and Public Welfare recommends the immediate passage of S. 2317 as hereinafter amended; and it further recommends that the full bill be considered early in the next session of this Congress.

As one of the members of the committee, I do not concur in that recognition of any obligation with respect to a long-range program. I do not object to the consideration of this particular bill. Perhaps some other Senator may object. But I thought it proper to call to the attention of the Senate the very striking series of incorrect statements which appear in the printed report.

Mr. HUMPHREY. Mr. President, I have a particular interest in this bill because it was my privilege to be chairman of the subcommittee which considered this proposed legislation, and to report it to the full committee, and also to have a very full understanding with the members of the full committee as to the nature of the report which would be presented to the Senate with Senate bill 2317, as proposed by the committee to be amended.

Just a word of background, Mr. President: The school construction proposed legislation now being discussed is a composite of a large number of bills introduced by many Senators. The bill now before the Senate has the cosponsorship of several Members of the Senate, each and every one of whom was spoken to as to the nature of the proposed legislation which finally was to be reported by the committee.

It was the considered judgment of the subcommittee, which held exhaustive and, let me say, intensive hearings, that the entire bill should be reported to the Senate, without the amendments which later were suggested by the full committee.

I may say there were within the full committee sufficient votes to report the full bill to the floor of the Senate, without the shadow of a doubt, despite the opposition of the distinguished Senator from Missouri [Mr. DONNELL] and the opposition of other Senators. There were plenty of votes in the full committee to report the full bill.

However, in view of the emergency which faces some of the school areas in the United States, and also in view of the fact that we need a survey of a program for school-building needs, it was the desire of the committee to have the bill, as reported, contain the least possible amount of controversial material. Therefore, the bill as presently proposed to be amended is before the Senate.

As to the accuracy of the report, let me say that the chairman of the subcommittee, the junior Senator from Minnesota, questioned the members of the subcommittee particularly, and also particularly the distinguished chairman of the committee, as well as the other members of the committee, in the presence of the Senator from Missouri, as to whether the administrative pattern outlined in the full bill should be included in the report. The pattern of administration outlined in the full bill, as to the cooperation between the Federal Govern-

ment and the State governments in any kind of school-construction program, was worked out with the cooperation of the Office of Education, the General Services Agency, the Bureau of the Budget, and every other agency or private group in the school field that is related to this problem.

The matter was approached and considered in a spirit of unity and understanding which never before has been achieved. Heretofore, there has always been a struggle between the Federal Works Agency and the Office of Education, and also there have been some difficulties between school groups, as to the kind of legislation they wanted.

Fortunately, after weeks and weeks of negotiation, we were able to arrive at a formula for the use of Federal money in the States and an integrated pattern of school construction which met with the requirements and support of all the interested agencies. I may say to the distinguished Senator from Alabama [Mr. HILL] that we followed very carefully the formula and pattern of the Hospital Construction Act.

So I wish to correct the RECORD, insofar as concerns the comments which have been made here today. There was no intent to make a false report. Not only was the report authorized by the committee, but the chairman of the subcommittee checked and double checked to make sure the committee meant exactly what the report said.

Therefore, the report was presented on the basis of the full bill, but stating quite frankly to the Senate, so that we could get some action, that we would submit a bill which only authorized surveys and emergency construction.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. DONNELL. Mr. President, I ask unanimous consent that the Senator's time may be extended sufficiently to enable him to answer the questions which I shall ask.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DONNELL. I ask the distinguished Senator whether he ever approached this particular member of the committee with a request for his vote, pro or con, and as to whether it was believed by the committee that preliminary results of the survey provided for in title I will justify the enactment of the long-range program? I ask the Senator further whether he ever asked this member of the committee, the Senator who is now speaking, whether he recommended that the full bill be considered early in the next session of the Congress, or whether he recommended that this bill be used as a pattern for a long-range school-construction program, or ever asked this member whether he ever approved any of the statements in the report, which indicated that it was the belief of the committee that a long-term program is justified, and an obligation recognized by the Federal Government to carry it out?

Mr. HUMPHREY. I may say to the distinguished Senator from Missouri, the junior Senator from Minnesota well realizes that the Senator from Missouri did not approve the long-range bill. The Senator from Missouri made his position very clear in the committee. One of the reasons, I may say, that the full committee went back to this type of amended bill was in order to receive the support and concurrence of all the members of the committee. We discussed this plan in the committee. The Senator from Missouri repeatedly said he did not believe in long-range school construction, he did not believe in that kind of pattern of relationships between Federal and State governments. Nevertheless, I may say, the majority of the committee expressed to the junior Senator from Minnesota, after positive interrogation, the belief that this was the kind of report they wanted.

Mr. TAFT and Mr. DONNELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Minnesota yield; and if so, to whom?

Mr. HUMPHREY. I yield to the Senator from Ohio.

Mr. TAFT. The statement is made in the report that the Committee on Labor and Public Welfare endorsed S. 2317 as recommended by the subcommittee. Was any vote ever taken in the full committee on that subject?

Mr. HUMPHREY. I may say to the distinguished Senator from Ohio, the junior Senator from Minnesota specifically asked the committee, on a motion to reconsider. I said I preferred to bring the whole bill onto the floor of the Senate so we would have something that would point up the long-range needs of education. And, by the way, the Senator from Ohio—

Mr. TAFT. Mr. President, will the Senator answer the question? Did the committee ever take action? Did the committee ever vote to endorse S. 2317 as recommended by the subcommittee?

Mr. HUMPHREY. The full committee endorsed S. 2317 in toto. It did, indeed. But members of the committee said they felt the bill would not be able to get by at this session of the Congress, and therefore we could amend it.

Mr. TAFT. Was any vote ever taken by the committee? Will the Senator please answer that.

Mr. HUMPHREY. The Senator from Ohio was not here.

Mr. TAFT. I am asking the Senator whether any vote was taken by the committee to justify this report, or whether it was a conclusion of the Senator's as to what other individual Senators thought.

Mr. HUMPHREY. There was no yealand-nay vote taken, but it was simply on the basis that we wanted to get unanimous agreement on the bill. I am sure the distinguished Senator from Ohio remembers he was one who asked that the bill be laid over in the committee for a period of time, to see whether we could not amend it so we could have a sort of limited debate on the amended bill.

Mr. DONNELL. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. DONNELL. I ask the Senator from Minnesota whether the Senator from Missouri was there when every vote was taken on this particular bill?

Mr. HUMPHREY. The Senator was there.

Mr. DONNELL. I ask the Senator whether there was any vote, directly or indirectly, yealand-nay, oral, or otherwise, by which the Committee on Public Welfare said it endorsed the bill S. 2317, as recommended by the subcommittee?

Mr. HUMPHREY. There was no yealand-nay vote. However—

Mr. DONNELL. There was no vote of any kind, was there?

Mr. HUMPHREY. There was no yealand-nay vote.

Mr. DONNELL. Was there any vote?

Mr. HUMPHREY. There was no voice vote.

Mr. DONNELL. Was there any vote of any kind?

Mr. HUMPHREY. There was an expression by the majority of the committee in full support of the subcommittee bill.

Mr. DONNELL. Mr. President, with the permission of the Chair, I ask the Senator again, was there any vote at any time taken in the full committee with respect to the recommendation of the subcommittee endorsing S. 2317?

Mr. HUMPHREY. I told the Senator from Missouri there was an expression by the majority of the committee in support of the full bill. There was no yealand-nay vote. There was no voice vote. However, there was an expression from the distinguished Senator from Alabama [Mr. HILL], from the distinguished Senator from Illinois [Mr. DOUGLAS], from the Senator from Montana [Mr. MURRAY], from the Senator from Oregon [Mr. MORSE]—who, by the way, suggested the limited amendment—from the Senator from Minnesota [Mr. HUMPHREY] and from the Senator from Utah [Mr. THOMAS]; which is the majority of the committee; all of whom supported the full bill; and no one knows it any better than does the Senator from Missouri.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield further to the Senator from Missouri?

Mr. HUMPHREY. I yield.

Mr. DONNELL. I ask the Senator whether it is not a fact that the only bill which was ever authorized by a vote of the committee was the emergency provision set forth in the amended bill? That is correct, is it not?

Mr. HUMPHREY. That is correct.

Mr. DONNELL. And is it not a fact that after a discussion in the committee with respect to both the long-range and the short-range plans—that is to say, the emergency program—it was determined that we should not submit the long-range program, but should submit solely the emergency program? I ask the Senator, was there any consideration by this particular Senator, or in the presence of this particular Senator, in which the committee itself endorsed S. 2317 as recommended by the subcommittee?

Mr. HUMPHREY. I may say to the Senator we are not exactly now in a court of law, and I am not being cross-examined. Of course, the junior Senator from Missouri did not endorse the long-range bill. But the Senator from Minnesota says without fear of contradiction that a majority of the members of the Committee on Labor and Public Welfare expressed endorsement of the full bill. I may say that out of a spirit of cooperation toward the Senator from Ohio, toward the Senator from New Jersey [Mr. SMITH], and toward the Senator from Missouri [Mr. DONNELL], we compromised on the basis of a limited bill. Rather than argue about the report, in view of the needs of the country, I may say to the Senator from Missouri I would suggest we go ahead and provide the money for surveys and the limited emergency construction.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DONNELL. I ask unanimous consent to make a statement, instead of propounding an inquiry. It shall be very brief.

I have no doubt of the good faith of the Senator from Minnesota. I am not questioning it in the slightest. I do say it is highly improper, in my opinion, to send throughout the United States or to the Senate or to anyone a statement that the Committee on Labor and Public Welfare endorses S. 2317 as recommended by the subcommittee. I say it is not correct to say the committee ever expressed itself officially or in any way other than in mere discussion. I say there was not an expression of the committee as to the long-term program. I do not desire to engage in any controversy over the matter, but I want the fact particularly clear upon the RECORD that this committee acted only on the proposition of the emergency program, and that the Senator now speaking, as one member of the committee, never saw and never had the opportunity to pass on the report which has come before the Senate in this broad language with respect to the long-range program.

Mr. TAFT and Mr. HUMPHREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. Mr. President, I object to consideration of the bill.

The PRESIDING OFFICER. The bill goes over.

H. B. BASS

The bill (H. R. 5205) to quitclaim certain property in Enid, Okla., to H. B. Bass was considered, ordered to a third reading, read the third time, and passed.

#### ADMISSION OF NARCOTIC ADDICTS TO HOSPITALS

The bill (S. 1706) to authorize the Public Health Service to admit to its hospitals persons committed by State courts who are beneficiaries of the Service or narcotic addicts, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill?

Mr. THOMAS of Utah. Mr. President, the purpose of the bill is to authorize the Surgeon General of the Public Health

Service to admit to Service hospitals for treatment and care certain specified classes of individuals who have been committed to the Service or to its hospitals by State courts of competent jurisdiction. The bill also authorizes him to detain such persons in accordance with State law and the orders of the courts which have committed them.

Certain classes of persons such as merchant seamen, officers, and enlisted men of the Coast Guard, and so forth, are already entitled by law to hospitalization in Public Health Service hospitals. Also, under section 341 of the Public Health Service Act the Surgeon General may admit and treat in Service hospitals at Government expense any narcotic addict who voluntarily submits himself for treatment. The bill applies only to the one or the other of these already established classes of beneficiaries. Thus, only persons already entitled under the law to care and treatment at Service hospitals, and narcotic addicts who have previously voluntarily availed themselves of the opportunity afforded by the law to obtain free treatment at such hospitals, may under the bill be admitted upon commitment by State courts. All care and treatment afforded under the bill would be discretionary with the Surgeon General, and would be subject to the availability of appropriations and the availability of accommodations.

The bill does not entail any new expenditures and, in fact, should result in a saving to the Government by rendering more effective the work now being done by the Public Health Service regarding narcotic addicts.

Mr. HENDRICKSON. I thank the distinguished Senator for his statement.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Public Health Service Act, as amended (42 U. S. C., ch. 6A), is amended by inserting immediately after section 327 the following new section:

**"PERSONS COMMITTED BY STATE COURTS**

"SEC. 328. (a) The Surgeon General is authorized, in his discretion and subject to the availability of appropriations, the availability of accommodations, and the provisions of subsection (b), to admit for care and treatment in any hospital of the Service suitably equipped therefor (as determined from time to time by the Surgeon General) (1) any person who is entitled to hospitalization by the Service and who is committed to the Service or to a hospital thereof, for care and treatment, by a court of competent jurisdiction of a State, and (2) any drug addict who, having previously been admitted to a hospital of the Service pursuant to section 344, has failed to abide by his agreement under that section to remain for the period necessary to effect a cure of his drug addiction and who is committed to the Service or to a hospital thereof, for care and treatment, by a court of competent jurisdiction of a State. Jurisdiction is hereby ceded and relinquished to any State within which a hospital of the Service is situated, to the extent necessary to enable any court of competent jurisdiction of such State, in accordance with the law of such State and upon request of the Surgeon General (but subject to the provisions of subsection (b)), to commit to the

Service or to such hospital any person within such hospital.

"(b) No person shall be admitted or committed to a hospital of the Service pursuant to this section unless he is entitled to hospitalization by the Service or is found by the Surgeon General to be a narcotic drug addict. Upon the request of any appropriate State judicial or administrative officer with respect to any person, the Surgeon General shall make such investigation (including, as authorized by State law or upon such person's consent, an examination of such person) as may be necessary to determine whether such person is entitled to hospitalization by the Service or is an addict who may, by treatment in a hospital of the Service, probably be cured of his addiction; and the Surgeon General shall notify such State officer whether such person, if committed to the Service or to a hospital thereof as provided in this section, will be admitted thereto.

"(c) Any person admitted to a hospital of the Service pursuant to subsection (a) shall be discharged therefrom when he is found by the Surgeon General to be cured.

"(d) With respect to the retention, transfer, parole, or discharge of any person committed to a hospital of the Service in accordance with subsection (a), the Surgeon General and the officer in charge of the hospital, in addition to authority otherwise vested in them, shall have such authority as may be conferred upon them respectively by the law of the State within which the hospital is situated or by the order of the court which committed such person."

SEC. 2. The first sentence of section 341 of such act is amended to read: "The Surgeon General is authorized to provide for the confinement, care, protection, treatment, and discipline of persons addicted to the use of habit-forming narcotic drugs who voluntarily submit themselves for treatment, addicts who have been or are hereafter convicted of offenses against the United States, including persons convicted by general courts martial and consular courts, and addicts who are committed to a hospital of the Service pursuant to section 328."

SEC. 3. The first sentence of subsection (c) of section 343 of such act is amended by inserting immediately before the comma therein the words "pursuant to this section."

SEC. 4. Subsection (d) of section 344 of such act is amended to read:

"(d) Any addict admitted for treatment under this section shall not thereby forfeit or abridge any of his rights as a citizen of the United States. The admission or treatment of any such addict shall not be used against him in any proceeding in any court, and the record of his voluntary commitment shall be confidential and shall not be divulged; except that, in the case of any such addict who fails to abide by his agreement under subsection (b) to remain for the period necessary to effect a cure of his drug addiction, the record of his admission or treatment pursuant to this section may be admitted in a proceeding in a State court for his commitment to the Service or to a hospital thereof as provided in section 328 (a)."

SEC. 5. The first sentence of subsection (b) of section 345 of such act is amended by inserting immediately after the words "properly committed thereto" the words "pursuant to section 343."

**ADMISSION OF RESIDENTS OF THE VIRGIN ISLANDS TO ST. ELIZABETHS HOSPITAL**

The bill (S. 2227) to amend the act approved July 18, 1940 (54 Stat. 766; 24 U. S. C., 1946 ed., sec. 196b), entitled "An act relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the

United States," by enlarging the classes of persons admissible into St. Elizabeths Hospital and in other respects, was announced as next in order.

Mr. WHERRY. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from Utah what cost will be involved, not only as to this bill, but the one which was just passed. I do not object to the passage of it.

Mr. THOMAS of Utah. The cost under the bill just passed will not be anything.

Mr. WHERRY. What about this bill?

Mr. THOMAS of Utah. I do not think any cost is involved. There may possibly be 11 persons from the Virgin Islands who will be affected.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the act approved July 18, 1940, entitled "An act relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States," is amended as follows:

(a) Clauses (1) and (2) of the first paragraph of such act are amended to read as follows: "(1) Persons who are permanent residents of the Virgin Islands of the United States and who (A) are citizens or nationals of the United States or nondeportable aliens and (B) have been legally adjudged to be insane in the Virgin Islands or while temporarily in another insular possession or a Territory of the United States or in the continental United States; and (2) persons who are present in but not permanent residents of the Virgin Islands and (A) have been legally adjudged to be insane in the Virgin Islands, (B) are citizens or nationals of the United States or nondeportable aliens, and (C) are persons whose legal residence in one of the States or Territories of the United States or the District of Columbia it has been impossible to establish."

(b) The second paragraph of such act is amended to read as follows:

"Upon the ascertainment of the legal residence of persons who have been transferred to St. Elizabeths Hospital and who are not permanent residents of the Virgin Islands, the Superintendent of the hospital shall transfer such persons to their respective places of residence, and the expense of transfer shall be paid from the appropriation for the support of the hospital."

**VENEREAL DISEASE RAPID-TREATMENT CENTERS**

The Senate proceeded to consider the bill (S. 2228) to amend the Public Health Service Act with respect to venereal disease rapid-treatment centers, and for other purposes, which had been reported from the Committee on Labor and Public Welfare with amendments: On page 1, line 8, after "(1)," to strike out "Funds", and insert "Such funds as may be"; and on page 3, line 21, after the word "transferred", to insert "within 1 year after the enactment of this act"; so as to make the bill read:

*Be it enacted, etc.,* That this act may be cited as the "Venereal Disease Rapid Treatment Center Act."

SEC. 2. Section 314 of the Public Health Service Act, as amended (42 U. S. C. 246), is

hereby amended by adding at the end thereof the following new subsection:

"(1) Such funds as may be appropriated under subsection (a) for a fiscal year, which are not determined by the Surgeon General to be available for allotment among the several States pursuant to subsection (d), may also be used by the Service to operate and maintain facilities for the diagnosis, treatment, support, and clothing of persons afflicted with venereal diseases, including transportation and subsistence of persons afflicted with venereal diseases, and their attendants, to and from the places of treatment, or allowances in lieu thereof; diagnosis and treatment, including emergency treatment for other illnesses, of such persons through contracts with physicians and hospitals and other appropriate institutions; recreational supplies and equipment; and repair and alteration of leased facilities. Such funds may also be used for grants of money, services, supplies, equipment, and facilities to States and, with the consent of the respective State health authorities, to counties, health districts, and other political subdivisions of the States for the establishment, operation, and maintenance of facilities for the diagnosis, care, and treatment of persons afflicted with venereal diseases, including case finding and referral of voluntary patients to places of treatment. Such grants shall be in such amounts and upon such terms and conditions as the Surgeon General may determine. The Service shall, as soon as practicable after the enactment of the Venereal Disease Rapid Treatment Center Act, cease to operate or maintain, pursuant to the first sentence of this subsection, facilities for the diagnosis, treatment, support, or clothing of persons afflicted with venereal diseases. In no event shall the Service operate or maintain such facilities pursuant to such sentence after June 30, 1950, except that the Service may operate and maintain not more than one such center after such date to the extent the Surgeon General determines such action to be necessary for the training of personnel for Federal or State and local health work and for the conduct of research, investigations, and demonstrations."

SEC. 3. (a) The head of any executive department is authorized, without the transfer of funds, to transfer to the Federal Security Agency any of the supplies, equipment, or facilities which such department has made available to the Public Health Service for use in connection with venereal disease control work and which, on the date of enactment of this act, is still available for use in connection with such work. Any real or personal property so transferred to the Federal Security Agency, and any other real or personal property of the United States which is under the jurisdiction of the Public Health Service and which the Surgeon General of the Public Health Service determines would be useful in connection with venereal disease control work, may be transferred, within 1 year after the enactment of this act, with or without reimbursement and upon such terms and conditions as the Surgeon General may prescribe, to any State and, with the consent of the State, to any county, health district, or other political subdivision of the State.

(b) As used in this section, the term "executive department" means any executive department, agency, or independent establishment of the United States or any corporation wholly owned by the United States; and the term "State" means a State, or the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### WITHDRAWAL OF PUBLIC NOTICES IN THE YUMA RECLAMATION PROJECT

The Senate proceeded to consider the bill (S. 1542) to authorize the withdrawal of public notices in the Yuma reclamation project, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 3, after line 3, to strike out:

SEC. 2. In addition to the authority granted by section 1 of this act, the Secretary may, in his discretion, rent water for irrigation of privately owned lands not covered by water-right application at a charge per acre foot to be fixed by him each year and to be collected in advance of the delivery of water. The water rental payable under contracts made pursuant to the provisions of this section shall be at such rates as in the Secretary's judgment will produce revenues at least sufficient to cover an appropriate share of the annual operation and maintenance cost and an appropriate share of such fixed charges as the Secretary deems proper, and the latter shall be paid into the reclamation fund as a non-interest-bearing credit to the construction charge account for the particular lands for which water rental contracts are made, which credit shall be applied at an equal rate per annum to all construction charge installments when said lands are covered by a permanent water-right application.

So as to make the bill read:

Be it enacted, etc., That (1) for the purpose of encouraging the filing of water-right applications on lands within the Yuma reclamation project by the reduction or elimination of increases in construction charges imposed by the provisions of section 9 of the Reclamation Extension Act (act of August 13, 1914, 28 Stat. 686, 689), the Secretary of the Interior; in his discretion, may from time to time withdraw or modify by public notice any public notice or public notices applicable to said project issued under the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto); and (2) for the additional purpose of making such adjustments with reference to water-right applications and other contracts affected by such increases as, in his judgment, are equitably required by reason of action taken under (1) above, the Secretary may by public notice make such modifications of water-right applications and contracts with water users' associations and others then in effect on said project as he may deem advisable and equitable: *Provided*, That nothing contained in this act shall be construed to amend section 4 of the Reclamation Extension Act aforesaid. Credits arising from a reduction or elimination of increases in construction charges allowed by the Secretary hereunder shall be without interest and shall be applied at an equal rate per annum against construction charge installments thereafter to become due or, if and to the extent that such credits exceed such installments, as advance payments on operation and maintenance charges due or to become due; *Provided*, That no reduced rates or credits accruing pursuant to this act in favor of any landowner during any period while he holds in single ownership in excess of 160 acres of irrigable land, upon which land the construction charges have not been paid in full, shall be allowed but such owners during the period of such excess ownership shall pay construction and other charges without credits or reductions allowable under this section.

The amendment was agreed to.

Mr. WHERRY. Mr. President, reserving the right to object, may I inquire just what this bill proposes? There is no report on the bill as yet.

Mr. McFARLAND. The act authorizing the project provided that each year the entrymen would have to pay 5 percent additional in order to have their lands included in the project. There were some 1,500 acres of land not included, and the cost has increased from \$85 to \$194. This is preventing the project from being rounded out. The bill specifically provides that the cost shall not be less than the original \$85.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### RETIREMENT BENEFITS OF CERTAIN MEMBERS OF THE COAST GUARD

The bill (H. R. 1824) to amend the act of July 23, 1947 (61 Stat. 409) was announced as next in order.

Mr. WHERRY. Mr. President, may I ask what this bill provides?

Mr. McFARLAND. It provides that the Marine Inspection and Navigation Department, which was made a part of the Coast Guard under the original legislation, will have the same benefit as though it had been a member of the Coast Guard from its inception. This is made necessary because of the complication in the law after the House bill was passed.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. McFARLAND. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The Clerk will state the amendment offered by the Senator from Arizona.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and to insert in lieu thereof the following:

(1) In computing length of service for purposes of retirement of personnel of the former Bureau of Marine Inspection and Navigation and Bureau of Customs transferred from those bureaus to the Coast Guard by Executive Order 9083 and by Reorganization Plan No. 3, effective July 16, 1946, who are commissioned, appointed, or enlisted, there shall be included, in addition to all service now or hereafter creditable by law, all service as a civilian employee of the United States within the purview of sections 691, 693, 698, 707, 709-715, 716-719, 720-725, 727-729, 730, 731, and 733 of title 5; and for all purposes of pay, so much of the service as was rendered as a civilian employee in the former Bureau of Marine Inspection and Navigation (including its predecessors, the Bureau of Navigation and the Steamboat Inspection Service), in the Bureau of Customs and in the Coast Guard. Such service for both retirement and pay purposes shall be classified as commissioned, warrant, or enlisted depending upon which status the person assumes upon his entry into the Regular Coast Guard. Service covering the same period shall not be counted more than once.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "To amend section 433 (f) of the act of August 4, 1949."

#### AIRPORTS IN THE TERRITORY OF ALASKA

The bill (S. 2436) to amend the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska" was announced as next in order.

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Colorado. Mr. President, the Eightieth Congress authorized an expenditure of \$13,000,000 to construct airports at Anchorage and at Fairbanks, Alaska. The amount allocated was not sufficient to build the kind of airports required, so this bill provides for an additional amount of \$4,000,000. The Senator from Indiana [Mr. CAPEHART] was handling the matter. He made a trip to Alaska 2 years ago in company with members of the committee, and brought back a report which indicated very grievous need for these airports.

Mr. HENDRICKSON. I thank the Senator. I have no objection.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc., That section 10 of the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska", approved May 28, 1948 (Public Law 562, Eightieth Congress), is amended by striking out the figures "\$13,000,000" and inserting in lieu thereof the figures "\$17,000,000."*

#### BILL PASSED OVER

The bill (H. R. 6070) to amend the National Housing Act, as amended, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. The bill will be passed over.

#### LOGAN INTERNATIONAL AIRPORT, BOSTON, MASS.

The joint resolution (H. J. Res. 338) to authorize the Administrator of Civil Aeronautics to undertake a project for the development and improvement of Logan International Airport at Boston, Mass., during the fiscal year 1950 was considered, ordered to a third reading, read the third time, and passed.

#### STIMULATION OF EXPLORATION AND CONSERVATION OF STRATEGIC AND CRITICAL ORES

The bill (S. 2105) to stimulate exploration for and conservation of strategic and critical ores, metals, and minerals, and for other purposes, was announced as next in order.

Mr. WHERRY. Mr. President, I do not want in any way to change the unanimous-consent order which was agreed

to, but I submit that this bill, which has no report accompanying it—

Mr. MILLIKIN. Mr. President, there is a report on this bill.

Mr. WHERRY. Then I withdraw my statement. But let me suggest, for the benefit of the Senate, that when we conclude the consideration of this bill, we should dispense with the calling of the calendar until reports are here, and we have an opportunity to examine them.

Mr. WILLIAMS. Mr. President, I ask that this bill go over. We have not had an opportunity to study it. I ask that it remain on the calendar and be not considered today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HENDRICKSON. Mr. President, I think the same procedure should be followed with respect to all the remaining bills, because we have not had an opportunity to study the bills or to read the reports.

Mr. MALONE. Mr. President, are we to understand, then, that where reports are not available, the bills will be at the head of the calendar for the next call?

The PRESIDING OFFICER. Without objection, the calendar call, the next time, will begin with Calendar No. 967.

Mr. WHERRY. Mr. President, I have just been consulted by the distinguished Senator from Oklahoma, and I see that the bills remaining on the calendar have been reported, beginning with Calendar No. 970. Possibly an explanation can be given as to each one of them. So I withdraw my request.

Mr. WILLIAMS. Mr. President, I ask that Calendar No. 967, Senate bill 2105, go over.

The PRESIDING OFFICER. The bill has been passed over.

#### BILLS PASSED OVER

The bill (H. R. 5647) to prohibit the picketing of United States courts, was announced as next in order.

Mr. WHERRY. Mr. President, I have been asked by the senior Senator from North Dakota [Mr. LANGER] to object to that bill.

The PRESIDING OFFICER. The bill will be passed over.

#### STRATEGIC AND CRITICAL ORES, METALS, AND MINERALS

The bill (S. 240) to stimulate the exploration, production, and conservation of strategic and critical ores, metals, and minerals and for the establishment within the Department of the Interior of a Mine Incentive Payments Division, and for other purposes was announced as next in order.

Mr. WHERRY. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. AIKEN. Mr. President, do I correctly understand that Calendar 967, Senate bill 2105, will be placed at the head of the list for the next call of the calendar?

The PRESIDING OFFICER. That is correct.

Mr. O'MAHONEY. I understood the request was that it be placed at the head of the list.

The PRESIDING OFFICER. It will be so placed that it will be in the next call of the calendar.

Mr. WHERRY. Mr. President, I must object to that, because several Senators want their bills placed at the head of the calendar.

The PRESIDING OFFICER. Those bills which go to the head of the calendar will take their regular numbers at the next call.

Mr. HILL. Beginning with Calendar No. 967.

Mr. WHERRY. Mr. President, I ask unanimous consent that Calendar No. 570, Senate bill 1165, be placed at the head of the list if we start specifying bills. There are other bills which could be placed ahead of this bill.

Mr. O'MAHONEY. A parliamentary inquiry. Did not the Senator from Nebraska misunderstand the statement of the Chair?

The PRESIDING OFFICER. The Chair thinks so. The Chair stated that when there were requests that certain bills be considered, and it was agreed they might be considered at the next call of the calendar they will be called, taking their respective numbers.

Mr. WHERRY. Very well. If that is to be the policy. I ask that Calendar No. 570, Senate bill 1165, be placed on the calendar.

Mr. HILL. I shall have to object to that, because every Senator will want some bill in which he is interested to come first.

The PRESIDING OFFICER. That bill would not come first.

Mr. HILL. I mean Senators would want their bills considered. I do not know anything about the merits or demerits of Senate bill 1165, but it has once been considered by the Senate. It was called on one call of the calendar. I cannot consent that it be put in a position where it will be sure it will be called the next time ahead of many other bills.

Mr. WHERRY. I am asking unanimous consent that it be called. The Senator can object to it.

Mr. HILL. I am objecting to it now, at the present time. I shall be glad to confer with the Senator.

Mr. WHERRY. I understand the ruling of the Chair, and I think it is all right, and I do not disagree with it. I was merely asking unanimous consent, inasmuch as the ruling has been made, that also at the head of the list on the call—

Mr. CHAVEZ. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CHAVEZ. Under the ruling the Chair has made, some bills which have been passed over, irrespective of their numbers, will take their proper place on the calendar.

The PRESIDING OFFICER. That is correct, and the bills will be listed by numbers.

Mr. WHERRY. I have no objection to that.

Mr. MILLIKIN. Mr. President, with reference to Calendar No. 832, Senate bill 1385, earlier in the day it was agreed that

that should go to the foot of the calendar. The junior Senator from Illinois [Mr. DOUGLAS] had made an objection. The Senator is now out of town, but I am advised by his assistant that he will confer with us on Monday, so I ask unanimous consent that Senate bill 1385 be put on the next calendar call for attention, in the flexible category of firsts.

Mr. HILL. What calendar number is it?

Mr. JOHNSON of Colorado. Calendar No. 832.

Mr. HILL. Did we consider that today?

Mr. JOHNSON of Colorado. We could not consider it because the junior Senator from Illinois [Mr. DOUGLAS] was not present.

Mr. HILL. Would it have been considered had he been here?

Mr. JOHNSON of Colorado. Yes.

The PRESIDING OFFICER. Placing these numbers on the calendar merely gives opportunity for them to be brought up on the next call of the calendar.

Mr. HILL. The bill referred to by the Senator from Colorado was listed to be called today but could not be called?

The PRESIDING OFFICER. That is correct.

Mr. HILL. I have no objection.

Mr. TAFT. Mr. President, are we still on the call of the calendar?

The PRESIDING OFFICER. We have not finished with the calendar, and are still calling the calendar. All this discussion is pending the conclusion of the call of the calendar.

Mr. TAFT. I ask that the call of the calendar be continued.

The PRESIDING OFFICER. The clerk will call the next number on the calendar.

#### WINFRED DECOTEAU

The Senate proceeded to consider the bill (S. 477) to authorize and direct the Secretary of the Interior to issue to Winfred DeCoteau a patent in fee to certain land, which was read, as follows:

*Be it enacted, etc.,* That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Winfred DeCoteau a patent in fee to the southwest quarter of the northwest quarter of section 36, township 124, range 51, South Dakota.

Mr. WHERRY. Mr. President, I ask the distinguished Senator from Oklahoma to explain the bill.

Mr. KERR. Mr. President, the purpose of this bill is to authorize and direct the Secretary of the Interior, upon application in writing, to issue a patent in fee to Winfred DeCoteau, a mixed-blood Sioux Indian of the Lake Traverse Band of the Sisseton Indian Reservation, S. Dak., to 40 acres of land which he inherited from his mother, Mary V. DeCoteau, which 40-acre tract is isolated from his and other Indian land holdings and is leased to a non-Indian.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### SUSIE LARVIE DILLON

The Senate proceeded to consider the bill (H. R. 2706) authorizing the issuance of a patent in fee to Susie Larvie Dillon.

Mr. WHERRY. I should like to have the junior Senator from Oklahoma also give an explanation of this bill.

Mr. KERR. Mr. President, this bill authorizes the issuance of a patent to Susie Larvie Dillon to 160 acres of land situated on the Pine Ridge Reservation, S. Dak. The bill has been passed by the House of Representatives and considered by the Committee on Interior and Insular Affairs, and is recommended for approval.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

#### GEORGE SWIFT HORSE

The Senate proceeded to consider the bill (H. R. 2920) authorizing the issuance of a patent to George Swift Horse.

Mr. KERR. Mr. President, the purpose of this bill is to authorize the issuance of a patent in fee to George Swift Horse, for lands allotted to him on the Cheyenne River Indian Reservation, S. Dak. It has been passed by the House unanimously, and approved by the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

#### LENORA FARWELL FRITZLER

The Senate proceeded to consider the bill (H. R. 3667) authorizing the Secretary of the Interior to issue a patent in fee to Lenora Farwell Fritzler.

Mr. AIKEN. Mr. President, not knowing much about these Indian lands, may I ask the Senator from Oklahoma why it is necessary to have legislation to grant them their rights in the lands?

Mr. KERR. Mr. President, this particular Crow Indian, along with all the others, is subject to the law of June 4, 1920, which provides that a Crow Indian allottee shall not sell more than one-half of his or her allotment. This Indian has been found to be able to handle her own affairs, and in this particular case she wants to buy a 1,200-acre ranch containing better land, and needs the money she would receive from the sale of the land involved here with which to buy the ranch she wants to buy.

Mr. AIKEN. Does this land come out of the reservation land?

Mr. KERR. Yes; it comes out of the reservation, and the committee has provided in the bill for a 90-day period to be set aside during which the Crow Tribe, or any of its members, shall have the prior right of purchase.

Mr. AIKEN. I was merely asking for information, because I wondered why it was necessary to have so many of these special bills.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

#### SIDNEY BLACKHAIR

The Senate proceeded to consider the bill (H. R. 4254) authorizing the Secretary of the Interior to issue a patent in fee to Sidney Blackhair.

Mr. WHERRY. I should like to have an explanation.

Mr. KERR. Mr. President, this is a bill for the relief of another Crow Indian, and involves 40 acres of land. It is the opinion of the attorneys in the Department that the allottee has the power to sell the land, but in view of the restriction with reference to not being able to sell more than half of it, there is some doubt. The bill has passed the same routine of approval, and is recommended.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

#### LULU TWO SPEARS IRON BIRD

The Senate proceeded to consider the bill (H. R. 3616) authorizing the issuance of a patent in fee to Lulu Two Spears Iron Bird, which had been reported from the Committee on Interior and Insular Affairs with an amendment.

Mr. KERR. Mr. President, Lulu Two Spears Iron Bird, together with her husband, is the owner of some 16 quarter sections of land in the Cheyenne Indian Reservation, S. Dak. Both she and her husband are in poor health. He is suffering from diabetes and requires insulin shots. They are asking the approval of their desire to sell one of their 16 quarters in order to provide themselves with the necessities of life, and medicine for his treatment.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 1, after the word "Cheyenne", it is proposed to insert the words "River Sioux."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### JEANETTE PEARL BURNS

The Senate proceeded to consider the bill (H. R. 3886), authorizing the Secretary of the Interior to issue a patent in fee to Jeanette Pearl Burns, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 1, line 7, to strike out "2, and 3 and the south half of the south half of section 5, township 6 south, range 38 east, Montana principal meridian, containing two hundred and ninety-nine and nine one-hundredths acres, more or less," and insert "2, 3, and 4 and the south half south half section 5, township 6 south, range 38 east, Montana principal meridian, containing two hundred ninety-nine and eight one-hundredths acres."

Mr. KERR. Mr. President, Jeanette Pearl Burns is a member of the Crow

Tribe. She is also employed by the Montana Department of Public Welfare. She does not live on the reservation. She makes a salary of \$1,800 a year, and with that sum is endeavoring to support and educate her four children. She is asking for permission to sell this land to enable her to complete the payments on her home in town where she and her children live.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### SURPLUS AIRPORT PROPERTY

The PRESIDING OFFICER. The clerk will now state the bills on the calendar, in their order, which were passed over temporarily. The first of those bills is House bill 3851, Calendar No. 693.

The Senate proceeded to consider the bill (H. R. 3851) to amend Public Law 289, Eightieth Congress, with respect to surplus airport property and to provide for the transfer of compliance functions with relation to such property, which had been reported from the Committee on Expenditures in the Executive Departments with an amendment on page 3, line 24, after the word "aviation", to insert a colon and the following additional proviso:

*And provided further,* That no release, conveyance, or quitclaim shall be executed by the Administrator pursuant to this section except upon the condition that, in the event that the property to which such release, conveyance, or quitclaim relates shall be sold to any third party within 5 years after the date of enactment of this act, the proceeds of such sale shall be devoted exclusively to the development, improvement, operation, or maintenance of a public airport.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 3851) was read the third time and passed.

#### CONVEYANCE TO MILES CITY, MONT., OF CERTAIN LAND

The bill (H. R. 3589) to convey to the city of Miles City, State of Montana, certain lands in Custer County, Mont., for use as an industrial site, was announced as next in order.

Mr. MORSE. Mr. President, I am not going to object, because the bill in the form in which it was introduced, and is on the calendar today, really provides that Miles City shall pay the full appraised value for the property. But before my objection earlier this afternoon we had adopted an amendment to the bill providing for payment of 50 percent of the fair value.

I now ask unanimous consent that the vote by which the amendment to House bill 3589 was ordered to be engrossed and the bill to be read a third time and passed, be reconsidered.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Oregon? The

Chair hears none, and the vote by which the amendment was ordered to be engrossed and the bill to be read a third time, and passed, is reconsidered.

Mr. MORSE. Mr. President, I now move that the vote by which the amendment was agreed to be reconsidered.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oregon.

The motion was agreed to.

Mr. MORSE. Mr. President, I now move that the amendment be rejected.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oregon.

The amendment was rejected.

Mr. MORSE. Mr. President, I now move that the bill be passed.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H. R. 3589) was ordered to a third reading, read the third time, and passed.

#### GUIDED MISSILE RESEARCH LABORATORY BUILDING FOR NATIONAL BUREAU OF STANDARDS

The bill (S. 2316) to authorize the construction and equipment of a guided missile research laboratory building for the National Bureau of Standards, Department of Commerce, was announced as next in order.

Mr. TAFT. Mr. President, I objected to the bill on the ground that the authority was so broad as to give the Bureau of Standards the right to buy land anywhere for any buildings they wanted to build. The amendment which will be offered by the Senator from Colorado cuts down that authority so the Bureau is authorized to buy land only for this particular laboratory building. Therefore I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2316) to authorize the construction and equipment of a guided missile research laboratory building for the National Bureau of Standards, Department of Commerce, which was read as follows:

*Be it enacted, etc.,* That there is hereby authorized to be constructed and equipped for the National Bureau of Standards a research laboratory building, suitable for use as a guided-missile laboratory, together with necessary utilities and appurtenances thereto, under a limit of cost of \$1,900,000: *Provided,* That such limit of cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from June 1, 1948, as determined by the Federal Works Administrator.

Sec. 2. The Secretary of Commerce is authorized to acquire, by purchase, condemnation, or otherwise (including transfer with or without compensation from Federal agencies), such lands, estates in lands, and appurtenances thereto as may in his opinion be necessary or desirable for the construction of buildings to house activities of the National Bureau of Standards: *Provided,* That the site therefore shall be selected after consultation with the Director of the National Bureau of Standards.

Sec. 3. There are hereby authorized to be appropriated to the Secretary of Commerce,

out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act: *Provided,* That such sums so appropriated, except such part thereof as may be necessary for the incidental expenses of the Department of Commerce, shall be transferred to the Public Buildings Administration in the Federal Works Agency.

Mr. JOHNSON of Colorado. Mr. President, this bill was passed over when reached on the call of the calendar, in order that amendments could be prepared.

I now offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 11, after the word "Administrator", it is proposed to insert a colon and the following additional proviso:

*Provided further,* Such limit of cost shall not be exceeded by more than 10 percent.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JOHNSON of Colorado. I offer another amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 6, after the word "of", where it occurs the first time, to strike out "buildings" and insert "a building"; and in the same line, after the word "of", where it occurs the second time, insert "such laboratory for."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 2316) was ordered to be engrossed for a third reading, read the third time, and passed.

#### COMPENSATION OF EMPLOYEES PAID ON FEE BASIS—BILL PASSED OVER

The bill (H. R. 5465) to amend section four of the Civil Service Retirement Act of May 29, 1930, as amended, was announced as next in order.

Mr. HILL. Mr. President, I offered certain amendments to that bill. Is the Senator from Delaware willing to accept those amendments?

Mr. WILLIAMS. Reserving the right to object, will the Senator tell us why he offered the amendments?

Mr. HILL. The purpose of the amendments is to prevent a referee who has paid but very little money into the Civil Service retirement fund from drawing retirement benefits far in excess of what he should be entitled to in view of what he has paid in. The amendments are only to protect others who have paid money into the retirement fund. By protecting the retirement fund from this exceptional case injustice will not be done to many other referees in the country who are entitled to retirement benefits.

Mr. WILLIAMS. Mr. President, I should like to say to the Senator from

Alabama that I agree with the principles of the bill. I am not so sure it should not go even further than it does to correct what is sought to be corrected. The situation which the Senator seeks to correct comes about by reason of the fact that a certain gentleman, Mr. Ehrhorn, of New York, paid into the retirement fund \$7.40, for which he would receive \$17,500 a year in retirement benefits. But the amendments of the Senator from Alabama changing the effective date from April 1, to April 11, still will permit the gentleman to receive that amount of money.

Mr. HILL. No. I can assure the Senator from Delaware that I am in full agreement with what the bill seeks to do, which is to protect the retirement fund from the gentleman to whom the Senator refers. The amendments would not in any way affect anything but that situation. In fact I would not have offered the amendments if they would adversely affect the purpose of the bill. I want to see the purpose of the bill effectuated. I want to see the retirement fund protected.

Mr. WILLIAMS. I agree with the principle stated by the Senator from Alabama, but his amendments would still allow this man to obtain retirement benefits amounting to \$10,000 per annum. Why is a man entitled to \$10,000 when he has paid into the fund only \$7.43?

Mr. HILL. He is not entitled to it. He will not receive it. The very purpose of the bill is to keep that man who paid into the fund only \$7.43, from receiving the large amount referred to. He will not receive that amount of money. The bill, however, also protects many referees who have paid into the retirement fund for many years. The amendments would not affect the protection of the fund. My amendments would simply make sure that, in protecting the fund from the gentleman from New York, injustice would not be done to other referees.

Mr. WILLIAMS. I might say to the Senator from Alabama that I think he is in error, because the Senator's amendments provide that the maximum annuity shall be \$10,000 a year.

Mr. HILL. I will say to the Senator from Delaware that I have considered this amendment very carefully with the expert of the committee, Mr. Austin Lattimer. I worked with him on the amendment and I also worked with Judge HOBBS, of Alabama, a distinguished member of the House Committee on the Judiciary. They are agreed that the amendment will not in any way interfere with the purposes of the bill.

Mr. WILLIAMS. I might say that the Comptroller General of the United States recommends the effective date to be April 1, 1948.

Mr. HILL. If the Senator does not want to accept the amendment, the bill will have to go over.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD an article published in the New York Herald Tribune of July 26, 1949, written by David McConnell, which points out just what the bill proposes to do. He points out that Congress, before the present session

is over, will have to take action to close the loophole which there is in the law.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of July 26, 1949]

PAID \$7.43 INTO PENSION FUND, HOPES TO GET \$150,000 FROM UNITED STATES—QUIRK IN LAW MAY BENEFIT BANKRUPTCY REFEREE WHO WORKED MONTH IN CONGRESSMAN'S OFFICE

(By David McConnell)

WASHINGTON, July 25.—Because of a freak twist of the law, a former Government employee who paid a total of \$7.43 into the civil-service retirement fund was disclosed today to be eligible to collect benefits of \$17,500 a year.

A House Civil Service Committee report said that on the basis of life-expectancy figures the former employee may collect up to \$150,000 on his original \$7.43 investment unless Congress passes restraining legislation. A bill to strengthen the civil-service retirement law is pending before the House.

The Civil Service Commission said the proposed legislation would limit the former employee's benefits to a \$1,950 annuity. Officials said they considered even that sum a substantial return on the original investment.

According to the House committee report, the employee, whom it did not identify, fell into the pension bonanza by working for 1 month in the offices of a New York member of the House of Representatives. It was during that month—December 1948—that he paid into the retirement fund the \$7.43.

Prior to that, he had been a Federal referee in bankruptcy during the period when the post was not under the civil-service retirement system. While he was a referee he was entitled to receive 1 percent of the assets distributed under his jurisdiction. According to the committee, he earned a peak of \$220,000 from Jan. 1 to June 30, 1937, but he was not required to contribute to the civil-service retirement fund.

The month of service in the office of the House Member, during which he paid in the \$7.43, has made him eligible to receive an annuity based on his past earnings with the Government. Under present law, the House committee said, he is entitled to \$17,500 a year, or he may take \$15,000 a year and his wife, after his death, would receive \$8,750 a year. Congress last year enacted legislation which makes \$10,000 the salary limit on which retirement benefits can be computed, but the law did not apply to the period the employee was working as a bankruptcy referee.

Jerry Klutz wrote in his column in the Washington Post, to be published tomorrow, that the employee worked during December 1948 in the office of Representative W. KINGSLAND MACY, Republican, of New York. Mr. MACY's office said Oscar W. Ehrhorn, of 263 West End Avenue, New York, was employed during that period.

A check of the New York Herald Tribune's files showed that Mr. Ehrhorn was a Federal referee in bankruptcy who in June 1937 handled the liquidation of the International Match Co. He officiated at two sales which brought in \$8,246,000 to the concern's bankrupt estate.

#### HADN'T HEARD OF IT

Mr. Ehrhorn was asked today at his home in New York whether he was the civil-service employee referred to. Mr. Ehrhorn told a reporter he would answer no questions tonight.

He was asked: "Did you receive \$17,000 a year in retirement benefits from the Government?"

"Well," said Mr. Ehrhorn, "thank you for telling me."

"Do you mean," asked the reporter, "that this is the first news you have had of it?"

"That's right," said Mr. Ehrhorn, "good night."

Mr. Ehrhorn, former president of the National Republican Club in New York, served more than 20 years as a bankruptcy referee.

Mr. HILL. Mr. President, I will say that I am in full accord with the Senator from Delaware. I want to have the bill passed. I want the loophole referred to closed. It certainly should be closed, and it should be closed during the present session of Congress. But in closing the loophole I do not want to do an injustice to other referees who are not at all concerned with any such abuse as we are trying to correct. But in closing the loophole I do not want to do any wrong or injustice to others who are not affected or concerned with the matter of closing the loophole.

Mr. WILLIAMS. Mr. President, if the Senator from Alabama insists on the amendments, which in my opinion defeat the purpose of the bill, I object to consideration of the bill at this time.

The PRESIDING OFFICER. On objection, the bill is passed over.

#### AMENDMENT OF ATOMIC ENERGY ACT OF 1946

The bill (S. 2372) to amend the Atomic Energy Act of 1946 was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill? If not, I should like to have it go over until the next call of the calendar.

Mr. KNOWLAND. Mr. President, the able Senator from Connecticut [Mr. McMahon] made an explanation of the bill. It is reported unanimously from the Joint Committee on Atomic Energy. It provides for the compensation of the head of the Military Liaison Committee on a basis comparable with that of the chairman of the Munitions Board. It also has a provision which permits a representative from the Air Force also to be a member of the Military Liaison Board. After a study by the joint committee, the bill was reported unanimously.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McKELLAR. I have no objection.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Joint Committee on Atomic Energy with an amendment on page 3, after line 5, to add a new section, so as to make the bill read:

Be it enacted, etc., That section 2 (c) of the Atomic Energy Act of 1946 is amended to read as follows:

"(c) Military Liaison Committee: There shall be a Military Liaison Committee consisting of a Chairman, who shall be the head thereof, and of a representative or representatives of the Departments of the Army, Navy, and Air Force, detailed or assigned thereto, without additional compensation, in such number as the Secretary of Defense may determine. Representatives from each of the three Departments shall be designated by the respective Secretaries of the Army, Navy, and Air Force. The Committee Chairman shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at a rate prescribed by law for the Chair-

man of the Munitions Board. The Commission shall advise and consult with the Committee on all atomic-energy matters which the Committee deems to relate to military applications, including the development, manufacture, use, and storage of bombs, the allocation of fissionable material for military research, and the control of information relating to the manufacture or utilization of atomic weapons. The Commission shall keep the Committee fully informed of all such matters before it and the Committee shall keep the Commission fully informed of all atomic energy activities of the Department of Defense. The Committee shall have authority to make written recommendations to the Commission on matters relating to military applications from time to time as it may deem appropriate. If the Committee at any time concludes that any action, proposed action, or failure to act of the Commission on such matters is adverse to the responsibilities of the Department of Defense, derived from the Constitution, laws, and treaties, the Committee may refer such action, proposed action, or failure to act to the Secretary of Defense. If the Secretary concurs, he may refer the matter to the President, whose decision shall be final."

SEC. 2. Section 2 (d) of the Atomic Energy Act of 1946 is amended by striking out "Army or the Navy" and inserting in lieu thereof, "Army, Navy, or Air Force".

SEC. 3. Section 2 (d) of the Atomic Energy Act of 1946 is also amended by inserting at the end thereof the following two sentences: "Likewise, notwithstanding the provisions of any other law, any active or retired officer of the Army, Navy, or Air Force may serve as Chairman of the Military Liaison Committee established by subsection (c) of this section, without prejudice to his commissioned status as such officer. Any such officer serving as Chairman of the Military Liaison Committee shall receive, in addition to his pay from the United States as such officer, an amount equal to the difference between such pay and the compensation prescribed in subsection (c) of this section."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. That completes the call of the calendar.

Mr. HILL. Mr. President, I move that the Senate proceed to the consideration of—

Mr. WHERRY. Mr. President, will the Senator yield before he makes the motion?

Mr. HILL. I yield.

#### FUTURE CONSIDERATION OF BILLS ON THE CALENDAR

Mr. WHERRY. Mr. President, during the call of the calendar, when a ruling was made by the Chair, I asked that at the next call of the calendar, Order No. 570, Senate bill 1165, be called. I do not wish to raise the issue again, if the acting majority leader can tell us whether, when the calendar is called the next time, we are to go back to the beginning of the calendar. If so, the bill in which I am interested will be called. If it is the intention to begin the next call at the point where we left off today, I should like to ask that Order No. 570 be included in the next call.

The PRESIDING OFFICER. Is there objection to including Order No. 570, Senate bill 1165, in the bills to be called when the calendar is next called?

Mr. HILL. Mr. President, reserving the right to object, let me say to my dis-

tinguished friend from Nebraska that it happens that I am very much interested in the first bill on the calendar, Order No. 2, Senate bill 130, of which I am the author. I am very much interested in beginning at the first part of the calendar when the calendar is next called. I have good reason to believe that at the next call we can begin at the beginning of the calendar. However, I am not the majority leader, as the distinguished Senator knows. I am not authorized to speak for the majority leader. The best I can say is that I am very much interested in beginning with the first bill on the calendar, and I shall do all I can to the end that we may begin with the first bill on the calendar.

Mr. WHERRY. Does the Senator object to my request?

Mr. McKELLAR. Mr. President, certain Senators ask that certain bills be placed at the head of the calendar. I do not think that is fair or right. They ought to take the places they now have. I should like to be assured of that before we go further. The bills should take their regular order. No special consideration should be given to any particular Senator in order that a certain bill may be put at the head of the list.

Mr. WHERRY. Mr. President, if I said that I wanted order No. 570 to be placed at the head of the list, I wish to withdraw that request. All I ask is that it be included in the next call of the calendar.

The PRESIDING OFFICER. The Chair so understood.

Mr. HILL. Mr. President, that would be in contravention of the spirit of what the Senator from Tennessee has said. It would mean that Calendar No. 570 would be called the next time, when perhaps other bills on the calendar would not be called.

Mr. TAFT. Mr. President, when the majority leader makes his request for the call of the calendar, he can include other bills. I do not see why we cannot now make requests in advance to have certain bills included. I do not see why there should be any objection. If a Senator wishes to have a certain bill called at the next call of the calendar, why should there be objection?

Mr. McKELLAR. I have no objection, so long as the bills take their regular order. I believe there has been no appeal from the ruling of the Chair. I have no objection, so long as the bills take their regular order.

Mr. HILL. Mr. President, they do not take their regular order if they are called out of order. What I am seeking to do is to defend the position taken by the Senator from Tennessee.

Mr. McKELLAR. I am very happy to have the Senator do so.

Mr. HILL. There is a bill on the calendar in which I am very much interested.

Mr. WHERRY. Mr. President, I wish to point out that the distinguished Senator apparently understands what the request I am making really means. When the majority leader asked for the call of the calendar, he included in the unanimous-consent request, to which I agreed, the request that we start at the point in the calendar where we left off

the last time it was called, but that in addition certain other calendar numbers be entered in the call.

I do not ask the Senate to go back and take bills in the order in which they are listed on the calendar, although that is perfectly agreeable to me. All I am asking is that at the next call of the calendar, if we are to begin at the point where we left off today, Calendar No. 570 be included. If we are to start at the beginning of the calendar, I have no worries.

I ask unanimous consent that at the next call of the calendar, whenever it may be, Calendar No. 570, Senate bill 1165, be included in the call. I do not care whether it is called first or last.

Mr. HILL. Mr. President, if the Senator will be patient with me, I assure him that I shall do everything I can to make sure that his bill is called and considered at the next call of the calendar. But to set his bill for call the next time without setting all the other bills in contravention of the very thing which the Senator from Tennessee [Mr. McKELLAR] has said today. He wants the bills called in their regular order.

Mr. WHERRY. Mr. President, we find ourselves in the same confused situation in which we have been so many times. I cannot get an expression from the acting majority leader as to whether or not we are to go back to the beginning of the calendar at the next call. If he can assure us that we will begin at the beginning, I withdraw my request; but I should like to have unanimous consent, in advance of that statement, that when the calendar is called the next time, order No. 570 be included in the call. I cannot see why any Senator should object. If any Senator does not want a bill considered, all he has to do is to object.

Mr. HILL. I cannot assure my friend where the call will begin the next time, because I will not be the majority leader. I am only acting as majority leader at the moment. However, I assure my friend that I shall do everything I can to have the call started at the very beginning of the calendar, so that the Senator's bill, and all bills in which other Senators are interested, may be considered by the Senate.

Mr. KNOWLAND. Mr. President, I point out to the able Senator from Alabama that the other day I raised the same question with the majority leader. At that time he indicated that he thought there was a great deal of merit in beginning at the beginning of the calendar the next time, although he gave no firm assurances of that. I was wondering if we could not meet this problem. It may not be possible, because the majority leader is not present. I wonder if we cannot have unanimous consent that the next time the calendar is called, we shall start at the beginning of the calendar. We do not need to set a date for it. That is in the hands of the majority leadership. But if we can have assurance that at the next call, whenever it may be, we shall start at the beginning, it will relieve the entire situation.

Mr. HILL. Mr. President, if the Senator from Nebraska will allow me to convey to the majority leader the desire of Senators to start at the beginning, I

shall be glad to do so. As I have previously stated, I am very anxious to start at the beginning of the calendar, because I am interested in the first bill on the calendar. I believe that we shall be able to start at the beginning of the calendar at the next call. I do not think there will be any trouble about it.

Mr. WHERRY. Mr. President, I quote from the RECORD the statement referred to in the observations just made by the distinguished Senator from California [Mr. KNOWLAND]. I read from page 12199:

Mr. KNOWLAND. I wonder whether the Senator could give some indication to Members of the Senate as to when it may be proposed to have a call of the calendar, beginning at the beginning of the calendar? I have had a number of inquiries in regard to the matter, and the time is running.

Mr. LUCAS. I am unable to say to my friend from California at this time. It seems to me that might be done probably the next time we call the calendar.

Mr. KNOWLAND. There are a number of bills to which there was but one objection, which objection has been gotten out of the way now.

Mr. LUCAS. The Senator is correct.

He did not give any assurances. A few days ago I asked if he would not return to the beginning of the calendar.

I withdraw the request, if my distinguished friend the Senator from Alabama will not give me that assurance. I am rather surprised; it is the first time in a long while that when I have asked unanimous consent in connection with a matter as small as this one, I have been refused. There is no particular issue about the bill.

I say to the distinguished Senator that when he confers with the majority leader, I think he should arrange that at least Calendar No. 570, Senate bill 1165, be included in the call of the calendar. If it is not, I shall be forced to object to having any bills called beyond where we leave off today, unless that consent is given.

Mr. HILL. Mr. President, I shall be delighted to convey to the majority leader what the minority leader has had to say. My only reason for not acceding to the request of the minority leader is that other Senators are interested in bills similarly located on the calendar; and if we take up one, we have to take up the others. That is the reason.

Mr. HENDRICKSON. Mr. President, inasmuch as we have been talking about the call of the Calendar, I wish to make this observation with respect to the bills coming toward the end of the calendar. In respect to future calls of the calendar, I feel that I shall be constrained to object to the consideration of any bill that has not been in the hands of Senators with a committee report for at least 2 days. Certainly it is a very dangerous practice for us to pass bills which have just been received from committees. I feel that I must serve notice that in the future I shall have to object to the consideration of bills which have not received longer consideration.

The PRESIDING OFFICER. The Senate will be interested to know that today the Senate has passed 94 bills or other measures.

#### EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HOEY in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

#### CONVENTION CONCERNING FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANIZE—REMOVAL OF INJUNCTION OF SECRECY

The PRESIDING OFFICER. The Chair lays before the Senate Executive S. Eighty-first Congress, first session, a convention concerning Freedom of Association and Protection of the Right To Organize, adopted by the International Labor Conference at its thirty-first session, held at San Francisco June 17 to July 10, 1948. Without objection, the injunction of secrecy will be removed from the convention, and the convention, together with the President's message, will be referred to the Committee on Foreign Relations, and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

#### To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith an authentic text of the Convention (No. 87) concerning Freedom of Association and Protection of the Right to Organize, adopted by the International Labor Conference at its thirty-first session, held at San Francisco June 17 to July 10, 1948.

I transmit also for the information of the Senate the report of the Secretary of State regarding this convention, together with a copy of a letter addressed by the Secretary of Labor to the Secretary of State with respect to the convention.

HARRY S. TRUMAN.

THE WHITE HOUSE, August 27, 1949.

(Enclosures: 1. Report by the Secretary of State. 2. Copy of letter from the Secretary of Labor. 3. Authentic text of convention (No. 87) concerning Freedom of Association and Protection of the Right To Organize.)

The PRESIDING OFFICER. If there are no reports of committees, the clerk will proceed to state the nominations on the calendar.

#### ARMY NOMINATIONS PASSED OVER

The legislative clerk proceeded to read sundry temporary appointments in the Army.

Mr. KNOWLAND. Mr. President, I ask that the nominations go over temporarily. I wish to study the law under which the appointments have been made.

The PRESIDING OFFICER. Without objection, the nominations in the Army will be passed over.

Mr. HILL. I understand that that applies to all the Army nominations on the calendar.

The PRESIDING OFFICER. The Chair inquires whether that is the intent of the Senator from California.

Mr. KNOWLAND. Yes; that applies to the three brigadier general nominations, which are the only new reports on the Executive Calendar.

#### RECESS TO MONDAY

Mr. HILL. Mr. President, as in legislative session, and in pursuance of the order of the Senate previously entered, I move that the Senate stand in recess until 11 o'clock a. m. on Monday next.

The motion was agreed to; and (at 2 o'clock and 33 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until Monday, August 29, 1949, at 11 o'clock a. m.

#### NOMINATIONS

Executive nominations received by the Senate August 27 (legislative day of June 2, 1949):

#### DEPARTMENT OF DEFENSE

Paul H. Griffith, of Pennsylvania, to be Assistant Secretary of Defense.

Marx Leva, of Alabama, to be Assistant Secretary of Defense.

Wilfred J. McNeill, of Iowa, to be Assistant Secretary of Defense.

## SENATE

MONDAY, AUGUST 29, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. George M. Docherty, B. D., minister, the North Church, Aberdeen, Scotland, offered the following prayer:

O Thou who art the Lord of Lords, and the King of Kings, before whom the nations of the earth are a very little thing, in simple and contrite and penitent faith we would seek in this moment of prayer a glimpse of eternal things that what we do and decide this day may have divine significance.

We remember before Thee with thanksgiving the President of this great land. In his high office, where he must ever know the loneliness of great decisions, grant unto him always Thy presence and Thy peace, and encompass him with continuing strength for all his tasks. We commit unto Thee, with confidence, all who are set in authority over us in this land. Grant unto each one to declare the truth in love and without fear; set clearly before them their duty and endow them with courage to do it.

O Lord, Jesus Christ, who in the midst of the storm did slumber at the prow of a frail ship, and brought calm to men's hearts in rebuking the tempest by Thy word of peace, still speak this word today to men's hearts, gripped by fear and uncertainty of the future, and enable us